PARLIAMENTARY DEBATES

(HANSARD)

SIXTH SERIES—VOLUME 476 (Part 1)

HOUSE OF COMMONS

OFFICIAL REPORT

THIRD SESSION OF THE FIFTY-FOURTH PARLIAMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
FIFTY-SEVENTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SESSION 2007–2008

COMPRISING PERIOD
19 May 2008—6 June 2008

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19 May 2008

THE
PARLIAMENTARY DEBATES

OFFICIAL REPORT

IN THE THIRD SESSION OF THE FIFTY-FOURTH PARLIAMENT OF THE
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 11 MAY 2005]

FIFTY-SEVENTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES **VOLUME 476**

TENTH VOLUME OF SESSION 2007-2008

House of Commons

Monday 19 May 2008

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

CHILDREN, SCHOOLS AND FAMILIES

The Secretary of State was asked—

Academies (Kettering)

1. **Mr. Philip Hollobone** (Kettering) (Con): What assessment he has made of the effect on educational attainment levels in Kettering at the GCSE stage of the establishment of the two academies there. [205964]

The Minister for Schools and Learners (Jim Knight): At present there are no academies in Kettering. However, statements of intent have been agreed and my Department is in ongoing discussions with the local authority about the possibility of two schools in Kettering becoming academies. Where academies are established the aim is to achieve educational transformation, significantly improving levels of pupil attainment and benefiting the wider community, including neighbouring schools.

Mr. Hollobone: The two hoped-for academies at Ise community college and Montagu school will attract additional investment in local education in Kettering and would be most welcome. What steps are the Government undertaking to monitor individual academies' performance around the country, so as to understand what makes the most successful academies work best and in order to spread best practice to all the others?

Jim Knight: I am grateful that the hon. Gentleman welcomes the possibility of the two academies in his constituency. Indeed, we carefully monitor the work of academies and we are not alone in doing so—the National Audit Office regularly looks at it, as do others such as the Select Committee. In 2007, the NAO concluded that GCSE performance in academies had improved compared with that of predecessor schools and that, taking pupils' personal circumstances and prior attainment into account, academies' GCSE performance is substantially better on average than that of other schools. Comparisons in this area are always welcome.

Mr. Peter Bone (Wellingborough) (Con): Pupils from my constituency have to be bussed to Kettering for their secondary education because under this Government and a Labour county council, John Lea secondary school in my constituency was closed and demolished. Given all the thousands of new homes to be built in my constituency, what plans do the Government have to build a new secondary school there?

Jim Knight: It is a bit like going over old ground, but I am grateful that the hon. Gentleman has not raised that matter for a few sessions of oral questions—he has done so several times in the past. As ever, I explain to him that his Tory friends who run Northamptonshire county council are responsible for school organisation, and he needs to take the matter up with them.

Academies (Feeder Schools)

2. **Bob Russell** (Colchester) (LD): If he will make it his policy that parents of children at feeder schools and existing secondary schools can vote on whether an academy should be established in their area as part of the decision-making process. [205965]

The Secretary of State for Children, Schools and Families (Ed Balls): Proposals to establish academies are subject to non-statutory local consultation, which would normally include all interested parties, including the parents of children at feeder schools and existing secondary schools. When a maintained school is to be closed and replaced with an academy, statutory consultations are required on the proposed closure, which must engage all interested parties. In neither case, however, would there be formal votes or ballots.

Bob Russell: On 1 May in Colchester, the Conservatives lost five seats and control of the borough council. The closure of two secondary schools and the imposition of an academy were major issues. If the Government are listening and they really do want to engage local communities, will the Secretary of State give a pledge that he will honour what happened at the ballot box and save Thomas Lord Audley school at Monkwick and Alderman Blaxill school at Shrub End from closure?

Ed Balls: I understand that there were five Conservative losses on 1 May. I congratulate the Liberal Democrats on their four gains, and note the Labour gain as well.

I will give no long-term guarantee for those individual schools because, as the hon. Gentleman knows, the Alderman Blaxill school has not had a good run of results. It is substantially below the target of 30 per cent. GCSEs at grades A to C, including English and maths. During the past three years it has achieved 16 per cent., 14 per cent and 17 per cent. of that target, so we need improvement. Essex county council has explained that its preferred approach is to build on the existing partnership with Stanway school and to pursue a trust. We will support the council in its decision, but only as long as there is genuine improvement in all three schools in the coming year, particularly in Thomas Lord Audley and Alderman Blaxill. We will keep the matter under control, and if those schools do not deliver, we will consider other ways to intervene to ensure that all kids in the hon. Gentleman's area get the improvement in standards that they need.

Rob Marris (Wolverhampton, South-West) (Lab): Building Schools for the Future money is welcome in Wolverhampton, and there is a proposal to have two academies there. It has been suggested that that money will not be made available in Wolverhampton unless it has those two academies. Can my right hon. Friend assure me that there is no link between the two and that Wolverhampton could have the money without two academies, if it so chose?

Ed Balls: There is no requirement for academies in Wolverhampton as a condition of Building Schools for the Future money—we made that clear to the council and local Members of Parliament. There will be academies in Wolverhampton because the council is proposing them. It sees from results throughout the country that academies are a powerful way to raise standards, especially in areas that have had lower standards and where there is a need for new investment. We support academies in Wolverhampton but we will not impose them on Wolverhampton. The local council is proposing them and we will back its plans.

Mr. Nick Gibb (Bognor Regis and Littlehampton) (Con): The Secretary of State will recall Tony Blair's vision for the academies programme. He said:

> "Our aim is the creation of a system of independent non-fee paying state schools."

We were told that academies were to be freed from the national curriculum and independent of local authority control, but since the Secretary of State took office he has required all new academies to follow the national curriculum and now a third of new academies have local authorities as their sponsor. Why have the Government abandoned those freedoms? Is it not the case that, as last week's legislative programme makes clear, the Government have run out of ideas on school reform, have no clear sense of direction and, as the chief inspector of schools said today, school standards have "stalled"?

Ed Balls: The hon. Gentleman's facts are incorrect. I have not imposed the national curriculum on academies. New academies will teach the national curriculum in maths, English, science and IT, but retain the wider flexibilities to innovate and tackle lower performing pupils' needs.

When I became Secretary of State, all new academies proceeded with local authorities' agreement and I have not changed that. The only change that I have made is to accelerate the number of academies to bring universities, further education colleges and wider sponsors into the academies movement by abolishing the £2 million entry fee. We are using academies as an important way to drive up standards and meet the national challenge of getting all schools above the 30 per cent. target. The Government are using academies effectively to drive up standards, but the Conservative party has a black hole in its plans, which it cannot explain, when it comes to academies.

Children's Centres

3. **Anne Snelgrove** (South Swindon) (Lab): What progress has been made towards meeting the target of establishing 3,500 children's centres by 2010. [205966]

The Minister for Children, Young People and Families (Beverley Hughes): There are currently 2,907 designated Sure Start children's centres offering services to more than 2 million children aged under five and their families. We met our manifesto commitment for 2,500 centres by March this year and we are on track to meet our target of 3,500 centres by 2010—one for every community.

Anne Snelgrove: That is indeed good news. I am delighted that there are five Sure Start centres in my constituency. On average, 800 children use them each year, and I am committed to the Sure Start programme. What does my right hon. Friend believe the effect would be on those 4,000 children in South Swindon should the Sure Start programme be closed or not go ahead?

Beverley Hughes: My hon. Friend takes a great interest in the matter and she knows that we are progressively building a new universal service for the youngest children and their families, bringing together health, early years, parent support and employment services, to name but a few. The independent academic evaluation has shown that that is already having a positive impact on children's development and parents. If anything jeopardised the programme, I am sure that parents, professionals and any sensible person would greet that with dismay.

Annette Brooke (Mid-Dorset and North Poole) (LD): We welcome the progress on the number of children's centres, but does the Minister share my concern about the continuous fall in the number of registered child minders, according to Ofsted, in the past year? Has she specifically examined the possible impact of the introduction of the early years foundation stage on the number of people who are willing to undertake that important function?

Beverley Hughes: The number of places for children in early years provision continues to grow. However, we will clearly watch carefully and talk to child minders about any further decrease in their numbers. Having spoken to many child minders, I am convinced that the decline has nothing to do the EYFS, which is simply what good child minders are already familiar doing: having a flexible, play-based approach to children's development while they are in their care. The early years foundation stage does nothing more than that.

Jeff Ennis (Barnsley, East and Mexborough) (Lab): Children's centres make a big difference in constituencies such as mine. However, a minor problem is that, when they are attached to existing primary schools, with nursery provision extending from nought to five, they can become over-subscribed, as has happened in Milefield school in Grimethorpe in my constituency. Neighbouring Ladywood primary school, on whose governing board I serve, has only three pupils in the nursery unit next year. What more can we do as a Government to try to correct the imbalance that is currently being created in some locations?

Beverley Hughes: I know that my hon. Friend has written to me about the situation in his local area. As I explained to him, the situation is not one that we in central Government can micro-manage. We have laid a duty on every local authority to assess the need in its area, look into the supply and ensure a good match, in order to give parents the most flexibility in affordable child care suited to the needs of the area. However, I would be happy to talk to my hon. Friend further about his local situation if that would help.

John Bercow (Buckingham) (Con): Given that the early years foundation stage curriculum becomes mandatory in September and that, as the right hon. Lady knows, communication, language and literacy are an important strand of provision for children from birth to the age of five, can the Minister advise the House what progress has been made in clarifying the guidance to be issued to the Department of Health on the provision of speech and language therapy in those children's centres and on the financing for it? Further to what has just been asked, will she also do something to try to ensure that the excellent children's centres are extended to the hardest to reach children in some of the poorest parts of the country?

Beverley Hughes: I am grateful for the hon. Gentleman's question. I know the premium that he places on communication and language skills, as do I. I will investigate the question that he raises about guidance for the Department of Health and write to him. I can tell him, however, that speech and language therapists are increasingly working in and through children's centres, which I am very pleased about. We will also develop a programme, which I think we will call Let's Talk to help people to develop children's vocabulary, because we know that that makes a big difference to a child's ability to communicate.

On outreach, we have also funded two additional workers in every children's centre, to ensure that we reach those families who would perhaps not necessarily find it that easy to come of their own volition. Going out to those families can encourage them to come into the children's centres.

Mrs. Maria Miller (Basingstoke) (Con): The director of the national evaluation of Sure Start has told the Select Committee on Health that an integrated and expanded role for health visitors would make Sure Start significantly more effective. We agree. That is why our policies involve health visitors delivering Sure Start's vital outreach service. I know that the Minister shares our view that outreach support to the most disadvantaged groups is a critical role for Sure Start, so can she explain to the House why the Government's plans and budget for extending the service, which were set out in great detail last November in this document—"Sure Start Children's Centres: Phase 3 Planning and Delivery"—have now been slashed, with outreach in the most disadvantaged areas cut by one third? Outreach is a vital part of Sure Start. Why is it being cut and where has the money gone?

Beverley Hughes: Those on the Opposition Front Bench seem a bit weak on correct information today. The hon. Lady is quite incorrect: the Government are investing a total of £4 billion in supporting services through, and developing further, children's centres over the next three years, which includes an additional £79 million specifically for outreach work. What we are not doing is having a £200 million cut, which is what the Opposition would propose, and neither are we saying that it is either health visitors—

Mr. Speaker: Order. I call David Taylor.

Pupil Transport

4. **David Taylor** (North-West Leicestershire) (Lab/Co-op): What recent assessment he has made of the charging policies of local authorities for pupil transport to and from voluntary-aided schools; and if he will make a statement. [205967]

The Minister for Schools and Learners (Jim Knight): The Department is committed to enabling parents to exercise choice and access the range of schools, including the excellent education offered by many faith-based schools. The Department does not routinely conduct assessments of charging policies for transport to voluntary-aided schools. Local authorities are required to publish their policies on free and assisted home-to-school transport annually and to defend those policies locally.

David Taylor: Many North-West Leicestershire children in faith primary schools have a faith secondary school at such a distance that pupil transport is needed, but Conservative-led Leicestershire county council is introducing an annual £240 transport charge per child in the autumn, which will impose a serious burden on many homes. Does the Minister agree that if there is no consistency of policy across local authorities, we will have in effect a discriminatory, excessive, unacceptable and scandalous Catholic tax on families who ought to have continued free transport, at least until year 11, which is what is available to parents of other faiths and no faith? That will damage access and choice, will it not?

Jim Knight: I certainly agree with my hon. Friend that local authorities should continue to think it right not to disturb well-established arrangements, including free faith-based transport. My authority, in Dorset, appears to be proceeding, without any consultation, with charging for it. We would not advocate that in our guidance. In the Education and Inspections Act 2006, we changed the law to make faith-based transport available, up to 15 miles, to those on low incomes, but local authorities are still locally accountable for decisions beyond that.

Children's Centres (Ipswich)

5. **Chris Mole** (Ipswich) (Lab): How many children's centres there are in Ipswich. [205968]

The Minister for Children, Young People and Families (Beverley Hughes): There are 11 designated children's centres in Ipswich, offering services to approximately 8,000 children aged under 5 and their families. In the next three years, Suffolk will have a further £28.7 million to develop an additional 13 centres, including in Ipswich, to provide all families with those services by 2010.

Chris Mole: I thank my right hon. Friend for that answer. We are about to start celebrating the success of children's centres in Ipswich and in the wider county. Staff working in the Wellington centre, in Ipswich, have told me how much they value working in a multi-agency way, because it helps them to address the often complex needs of some of those families with young children. Will she continue to resist proposals to cut £200 million from the Sure Start programme, as that would undermine the high-quality early learning and health interventions and the employment outreach work that are so vital to some of those families?

Beverley Hughes: Yes, the proposals to which my hon. Friend refers would leave a black hole of £120 million and would involve a £200 million cut in the programme. More than that, they are wrong-headed, because this is not about having either health visitors or outreach workers; we need multi-agency teams that include both, as with the excellent co-located services in Ipswich, where health visitors hold clinics and carry out home visits with family support outreach workers. That system is about working together.

Short Breaks (Disabled Children)

6. **Mr. Mark Harper** (Forest of Dean) (Con): What discussions he has had with the Secretary of State for Health on the provision of short breaks for disabled children. [205969]

The Secretary of State for Children, Schools and Families (Ed Balls): I meet regularly with my right hon. Friend the Secretary of State for Health to develop the Government's programme for improving child health and well-being, which includes a transformation in the provision of short breaks for families with disabled children.

Mr. Harper: I am grateful to the Secretary of State for that answer. I am pleased with what his Department has done on this issue and with the money that it has given to local authorities. My county, Gloucestershire, is one of the pathfinders. One of my reasons for asking him to talk to the Department of Health is that the Government committed, in the comprehensive spending review, to the NHS matching the funding that his Department makes available. On investigation, I have found that that just is not the case. In Gloucestershire, the primary care trust got exactly the same rise as every other PCT. Gloucestershire is a pathfinder, but has no extra money to provide the necessary services. Will the Secretary of State talk to his colleague the Health Secretary about putting that right?

Ed Balls: As the hon. Gentleman has said, we are seeing a transformation. There will be a £280 million increase in spending on short breaks in the next three years from my Department, and a further £90 million in capital spending. Local authority by local authority, that will lead to a doubling, on average, of spending on short breaks, and a fivefold increase in some cases. That will be greatly welcomed by families with disabled children for whom short breaks are often a lifeline in the difficult job that they do.

I fully understand the hon. Gentleman's point about the importance of money being matched through PCTs and the health service, and I have talked to the Under-Secretary of State for Health, my hon. Friend the Member for Bury, South (Mr. Lewis), and the Health Secretary about that in detail. The Health Department rightly takes the view that PCTs have a responsibility, area by area, to find money from their overall budgets to match our spending. Such decisions should be for PCTs, but we are clear, nationally, in our Department and in the Health Department, that PCTs must find the money to fund short breaks. They will be held to account by parents, families and, I hope, by hon. Members on both sides of the House if they do not find the money to do that. Our joint health strategy will ensure that that happens.

Mrs. Joan Humble (Blackpool, North and Fleetwood) (Lab): At a recent conference in Blackpool, I spoke to parents whose children suffer from various forms of cancer. Children who are disabled because of a life-limiting illness often need respite care—sometimes from health services and sometimes from properly trained social care workers provided by local authorities. Will the Secretary of State ensure, in his discussions with his colleagues in the Health Department, that those families have appropriate, integrated packages to support them through what are often difficult times?

Ed Balls: I pay tribute to my hon. Friend's work on preparing the way for the Aimhigher plan for disabled children, which we are now implementing. One of the key aspects of the report on this matter was the importance of ensuring that we provide guidance and support for parents so that they can navigate what is often, for them, a complex system, in order to deal with their child's multiple and complex needs. It is important that we do that for all aspects of a child's care, including short breaks. In the past, respite breaks have often been seen as providing respite for the parents and siblings. In the transformation of short breaks that we are pursuing, we are also trying to achieve a transformation in the experience for the children themselves, and to make the short breaks genuinely fun and enjoyable. For that to happen, the children must get the care that they need, including the health care. That is why my hon. Friend's point is so valid. I shall be discussing this matter with the Health Secretary as we take forward our joint child health strategy this summer.

Angela Watkinson (Upminster) (Con): Does the Secretary of State recognise the very special needs of families with children with an autistic spectrum disorder, who are desperately in need of the occasional break? The environment for those children is very specific and must be appropriate to their needs. They thrive on familiarity and often do not respond well to change or to different circumstances, but those breaks are essential, as the Secretary of State has acknowledged, for the parents and siblings as well.

Ed Balls: The hon. Lady is quite right. For all children with a learning disability or a physical disability, a short break can work and be trusted by the parents only if they can be confident that it will provide the care and support that that individual child needs, and that the child will be secure. That is true for children with physical disabilities, but it is also true for children with a learning difficulty such as autism. I have visited the TreeHouse school in north London and seen the intense way in which professionals provide care throughout the day. I have also seen how the parents provide that care all on their own in the mornings and evenings, and during the school holidays. For those parents, a short break is vital, but it must be tailored to the needs of the child.

Youth Facilities (Warrington)

7. **Helen Jones** (Warrington, North) (Lab): What steps he is taking to improve youth facilities in Warrington. [205970]

The Parliamentary Under-Secretary of State for Children, Schools and Families (Kevin Brennan): Young people, their families and communities in Warrington and elsewhere are united in calling for attractive and safe youth facilities where young people can meet their friends, take part in positive activities and access support services. We are committed to meeting that demand. That is why, last month, we launched myplace, a new national programme of capital investment which will make available £190 million over the next three years to provide new or improved youth facilities.

Helen Jones: I am grateful to my hon. Friend for that answer, but what can he do to ensure that Lib-Dem and Tory-controlled councils take advantage of the money that is being provided by the Government, so that areas in my constituency, such as Burtonwood—which get a youth bus only twice a week and have little access to the town in the evening by public transport—actually get the youth facilities that residents are asking for in every survey carried out, but which are constantly being delayed?

Kevin Brennan: All that we can do is to encourage the local authorities concerned, and I am sure that my hon. Friend will be doing everything in her power—including asking this question today—to encourage her local authority to apply for the funding. It is extremely important that when these facilities are put in place the young people themselves are consulted, along with the local community. May I add that the local Member of Parliament should be consulted as well?

Helen Southworth (Warrington, South) (Lab): Will my hon. Friend congratulate the friends of Westy park, who are involving local young people in a major project to draw up plans for play, sports and leisure facilities in one of the most disadvantaged wards in Cheshire? Those facilities are urgently needed.

Kevin Brennan: I am happy to do so. It is clear from the research that has been undertaken that, where young people are involved—whether in the design or in the management and running of a facility—the projects are much more successful. That is why young people are an integral part of the myplace initiative.

Tim Loughton (East Worthing and Shoreham) (Con): Notwithstanding the admirable efforts by the hon. Member for Warrington, North (Helen Jones) to improve the lot of young people in her constituency, why did the figures released last week by the Youth Justice Board show a 45 per cent. increase in youth crime in the Warrington area, with crime by girls up by 60 per cent., and a 27 per cent. rise in hospital admissions in Warrington for alcohol problems involving children in the past three years? Chlamydia rates have risen by 50 per cent. in the north-west over the past five years. Those figures are, sadly, replicated across the rest of the country. Are not the Government failing our young people in that, rather than promoting youth facilities with urgent education programmes to encourage responsible attitudes to sex, drinking and youth crime, they seem more intent on demonising young people yet again by staging desperate stunts with fake hoodies in Crewe?

Kevin Brennan: The hon. Gentleman is wandering rather off piste. Nevertheless, let me deal with the issue of Warrington. I think that the whole House would want to join me in expressing sympathy to the Newlove family in respect of what we all recognise as an appalling case that took place there recently. The key is to work in partnership, nationally and locally, to try to solve these problems. That means that there are local responsibilities as well. We are playing our part nationally with record investment in youth facilities and we will soon publish our new youth alcohol action plan. The Government are doing their bit; it is also necessary for it to happen locally.

The Challenge Programme

8. **Mr. Adrian Bailey** (West Bromwich, West) (Lab/Co-op): What assessment he has made of the effectiveness of the London, Manchester and Black Country Challenges; and if he will make a statement. [205972]

The Secretary of State for Children, Schools and Families (Ed Balls): Since 2003, our London Challenge programme has brought wholesale improvements in secondary schools, with results rising faster than nationally. Those successes will now be extended locally and across the country. The programme has already been introduced in Greater Manchester and the black country and our proposed new legislation will ensure that every school is a good school, with local authorities using their powers—and Challenge using its powers—to intervene when necessary.

Mr. Bailey: I thank my right hon. Friend for his reply. Sandwell schools in the black country have improved their educational performance significantly since 1997, but it is recognised that there is still further to go to meet the skills demands of local employers. Will my right hon. Friend tell me how much money will be targeted on schools in the black country and in what specific ways work will be done with the schools to raise the skills levels?

Ed Balls: I am happy to join my hon. Friend in praising Sandwell council, which last year had the seventh biggest improvement in school results in the whole country, and the 20th biggest increase over the past 10 years. I am happy to praise local authorities—Conservative, Labour or Liberal Democrat—that make progress on standards. I refuse to run down the contribution of local authorities in the way that Conservative Members do at every opportunity. It is quite right, however, to continue to work with Sandwell so that results continue to improve in the future. I also support the council in its work in opening academies. We are allocating £23 million to the Black Country Challenge over the next three years, but the money will be well spent only if it is spent in partnership with local authorities rather than in opposition and conflict.

Children's Centres (Crawley)

10. **Laura Moffatt** (Crawley) (Lab): When he expects further children's centres to be established in Crawley. [205974]

The Minister for Children, Young People and Families (Beverley Hughes): There are five designated children's centres in Crawley, reaching 4,500 children. Over the next three years, there will be a further £28.8 million for what we expect to be a further 17 centres in West Sussex, including in Crawley.

Laura Moffatt: I am deeply grateful for that response. Anyone who has stayed close to Sure Start centres will know about the fantastic work that has gone on in them. It was right to concentrate on the most needy children first. Now that the service is going to be universal, what steps can my right hon. Friend take to ensure that county councils do not plead poverty in the future and then fail to use that money for those children that desperately need it?

Beverley Hughes: Of course we have enshrined in legislation the requirement that local authorities, along with other key partners like primary care trusts and Jobcentre Plus, provide integrated services on this model for children under five and their parents. I expect local authorities to abide by that legislation, but I also hope that they will do so enthusiastically, as there is no doubt from the feedback from those working in children's centres and from the growing and measurable positive impacts on children and parents alike that this service was much needed. It is going to grow and I hope that it will have a positive benefit for every child in the country by 2010.

Sir Patrick Cormack (South Staffordshire) (Con): Does the Minister accept that in Crawley, in Staffordshire and everywhere else the best possible centre is the family? What is she doing as a Minister in a Department that carries that word in its title, to encourage families and not to institutionalise children, irrespective of their backgrounds?

Beverley Hughes: I could not agree more with the hon. Gentleman, although—the Conservative party has recently recognised this, rather belatedly—some families want some support in bringing up their children. That is part of the services that children's centres are providing. In particular, those in Crawley have developed an important standard of excellence in the services that they are developing for parents, including services for fathers, grandfathers and male carers, and talking toddlers groups—all those things that are helping parents with what in today's society is perhaps the increasingly difficult job of bringing their children up well.

School Standards

11. **Mr. Jim Cunningham** (Coventry, South) (Lab): What recent steps the Government have taken to raise standards in schools. [205975]

The Minister for Schools and Learners (Jim Knight): Since 1997, we have doubled funding per pupil and put more than 200,000 more adults in classrooms. Our children's plan sets out how we will deliver a world-class education system: personalised learning, progression, Every Child a Reader, Every Child a Writer, Every Child Counts, tutors, curriculum changes, academies, new 14 to 19 diplomas, raising the participation age, work-force reforms and continued investment will continue to transform standards. And we have recently announced £200 million to achieve our ambition to have no secondary school below the 30 per cent. floor target by 2011. And on capital, we are spending £45 billion on the Building Schools for the Future programme to rebuild or refurbish every single secondary school in England.

Mr. Cunningham: I thank my hon. Friend for that answer, but will he now answer my question about whether he has any further plans to raise standards in schools?

Jim Knight: Well, in among that long list of things that we are doing, my hon. Friend should pick out Every Child a Reader, Every Child a Writer and Every Child Counts, which aim to ensure that every child leaves primary school with the required standard. We have 100,000 more than in 1997 achieving the required standard in English and maths, but we need to go further. The effect of a positive environment is not to be underestimated, and the Building Schools for the Future programme will proceed without the £5.2 billion black hole in its finances that the Conservative party has in its BSF programme.

Mr. Graham Stuart (Beverley and Holderness) (Con): Last week, the chief inspector of schools, Christine Gilbert, told the Select Committee on Children, Schools and Families that standards had stalled. She also said that 20 per cent. of children leaving primary school—one in five—did not have the literacy and numeracy skills to prosper at secondary school. It is hard to square the words of the chief inspector of schools with what the Minister has just told us. Will he tell the House from what date he thinks improvements stalled under this Government?

Jim Knight: We always say that we need to do better, but I do not agree that progress has stalled. Key stage 2 results are up 17 percentage points from 63 to 80 per cent. in English since 1997, and up 15 percentage points in maths at that stage. At key stage 3, there are similar improvements. We see that across the board. Indeed, reading is a subject that the Conservative party rightly talks about a great deal, and the hon. Gentleman will have seen the excellent results of the reading recovery programme, which were publicised last week. They show that we are making really good progress in dealing with the most difficult literacy problems in our primary schools.

Kelvin Hopkins (Luton, North) (Lab): In that long list of excellent Government initiatives, I do not think that I heard my hon. Friend mention teaching methods and classroom arrangements. Over a couple of generations, misguided teaching methods were damaging to our children's education success, but there are now demonstrably good methods that are much more successful. Will he use his good offices to ensure that those poor methods are finally eliminated and that the best methods are adopted?

Jim Knight: Of course, there was not enough time to list all the many things that we are doing to raise standards in schools. Improving teaching is certainly one of them. Ofsted, which the Conservative party is keen to quote, tells us that we have the best generation of young teachers that we have ever had in our schools. One thing that we are doing further to develop the early years of teaching is developing a masters qualification in teaching and learning, so that teaching can become a masters-level profession. Part of that will involve ensuring that we have proper rigour.

Recently, I was at a school in Calderdale, seeing the progression pilots. I saw real rigour in key stage 3 English and maths teaching; teachers using progression pilot techniques such as the APP—assessing pupil progress—method were able properly to identify the level that each child was at in their class and help them to progress to the next one.

Mr. Patrick McLoughlin (West Derbyshire) (Con): How many children in English primary schools does the Minister think is failing?

Hon. Members: Are failing.

Jim Knight: Clearly we could have a long sedentary exchange about the right hon. Gentleman's grammar, but I can tell him that 80 per cent. of pupils are currently leaving primary school having met the national standard in English, while 77 per cent. are leaving having met it in maths. Obviously we want 100 per cent. to achieve the national standard, and although we are moving in the right direction, we still have some way to go.

Mental Health Services

13. **Kerry McCarthy** (Bristol, East) (Lab): What discussions he has had with the Secretary of State for Health on the review of child and adolescent mental health services; and if he will make a statement. [206977]

The Parliamentary Under-Secretary of State for Children, Schools and Families (Kevin Brennan): The two Secretaries of State have had discussions about the CAMHS review prior to its announcement in the children's plan, and subsequently during their regular meetings to discuss a range of issues. Both Secretaries of State are closely involved in the progress of the review. Meetings have been held, and further meetings are planned, between the review's chairmen and the Secretaries of State. They will also jointly attend a forthcoming meeting of the review's expert group.

Kerry McCarthy: I hope that the Minister is aware of the latest report from the Children's Society in connection with its Good Childhood inquiry, which raises concerns about the rising mental health problems among children and young people. As part of the review, will the Secretaries of State consider the roles that schools and education welfare people can play in helping to identify children who are at risk of developing such problems, and perhaps in helping to prevent the problems from developing?

Kevin Brennan: I can confirm that. I can also confirm that, in addition to the meetings that I mentioned in my answer, at the Department of Health later this afternoon I shall meet the Under-Secretary of State for Health, my hon. Friend the Member for Bury, South (Mr. Lewis), along with front-line practitioners and members of the expert group, to discuss the review even further.

As my hon. Friend says, schools have a vital role to play. Only last week I visited St Matthew's school, Westminster, and in previous weeks I visited Mowlem primary school in Tower Hamlets, where we looked at the Social and Emotional Aspects of Learning programme. I hope that Conservative Front Benchers have changed their minds about that programme, because it is having a real effect in transforming some of those problems in our schools.

Hilary Armstrong (North-West Durham) (Lab): Does my hon. Friend recognise that in our increasingly complex world, it is very important—probably much more important than in the past—to build up children's resilience, so that as they grow up they are better able to handle the many things that come into their lives? One of the best ways of building resilience is through the early intervention programmes that the Government have set in train. Can my hon. Friend assure me that the Secretary of State will continue to discuss those programmes, which we know work and have significant effects as children grow older, with the Secretary of State for Health? I believe that that will have a real effect.

Kevin Brennan: Yes. I pay tribute to the work of my right hon. Friend, who was an early innovator of those initiatives, and piloted and introduced many of them to Government. Early intervention and building the resilience of children and young people are vital in today's complicated world, and I assure her they are at the heart of the children's plan and the Department's mission.

Children's Centres (Milton Keynes)

15. **Dr. Phyllis Starkey** (Milton Keynes, South-West) (Lab): How many children's centres there are in Milton Keynes. [205980]

The Minister for Children, Young People and Families (Beverley Hughes): There are 13 designated Sure Start children's centres in Milton Keynes offering services to approximately 9,000 young children and their families in the area.

Dr. Starkey: I assure the Minister that the centres that have already been built are doing an excellent job for my constituents, but as she knows, Milton Keynes is an area of housing growth. The council has asked me to ask the Minister whether there will be funding for children's centres for our growing population after 2010-11. Can she give me an answer?

Beverley Hughes: Obviously I can only speak for this Government—who I am sure will still be the Government after 2010. We are committed to continuing to support Sure Start children's centres, and that will be reflected in the revenue support grant that we give local authorities from that point onwards.

Admissions Policies (Northamptonshire)

17. **Mr. Brian Binley** (Northampton, South) (Con): What discussions he has had with schools in Northamptonshire on their admission policies following the Government's recent analysis of three local education authorities. [205982]

The Minister for Schools and Learners (Jim Knight): My officials wrote to the admission authorities of 51 schools in Northamptonshire on 11 March, asking them to verify whether the admission arrangements being reviewed were in fact the correct admission arrangements adopted by their school for 2008-09. Since then, my officials have had discussions and been corresponding with a number of schools involved in the exercise to ensure compliance with the admissions code.

Mr. Binley: As a result of that analysis the Department issued a badly drafted press release that implied that schools in Northamptonshire were, among other things, taking money for offering places. It later transpired that not one school in Northamptonshire acted in such a way. Will the Minister now apologise to my constituents, and to the wider Northamptonshire public, for that truly disturbing press release?

Jim Knight: The press release that we issued did not specify authorities individually in terms of the areas of non-compliance; we were very careful about that. We wanted to make sure that we had gone through the verification process. However, in order to inform the consultation on the admission arrangements for next year, it was important to publicise the levels of non-compliance that our internal exercise had found, including non-compliance in Northamptonshire in a range of other areas that were depriving some of the hon. Gentleman's constituents of fair admissions to schools. We therefore have nothing to apologise about.

Topical Questions

T1. [205939] **Mr. Desmond Swayne** (New Forest, West) (Con): If he will make a statement on his departmental responsibilities.

The Secretary of State for Children, Schools and Families (Ed Balls): I have today placed in the Library a letter I have written today to our social partners asking them to consider what more we can do to improve the early years of teachers' careers, and I have also laid a written statement confirming that I have accepted in full the recommendations that the independent School Teachers Review Body makes in its 17th report, including those on the modernisation of teachers' responsibilities, enhanced leadership and the conditions of teachers who are not attached to specific schools, such as those in pupil referral units. Tomorrow I will publish a White Paper on how we will deliver improvements in education for excluded pupils. My statement also confirms my full acceptance of the recommended 2.45 per cent. pay rise for teachers from September this year and 2 per cent. per year from 2009 and 2010. I believe that this three-year award will enable teachers and schools to plan ahead, is fair and affordable, and delivers the public sector pay discipline that our economy needs at this crucial time.

Mr. Swayne: My hon. Friend the Member for Beverley and Holderness (Mr. Stuart) reported the chief inspector's finding that standards have stalled. Whom does the Secretary of State blame for that? Is it the pupils or teachers? Is it himself? Or could it be his favourite scapegoat at the moment for everything that has gone wrong—the right hon. Member for Birkenhead (Mr. Field)?

Ed Balls: I think that that was a non-sequitur, so we shall move on. The fact is that there has been a substantial rise in school standards over the last 10 years, but as I have said in the House before, the rate of increase has slowed in recent years and we must redouble our efforts. One reason why there has been a slow-down is that we are now reaching the point where it is often children with particular learning disabilities who need extra help in order to increase their learning opportunities and reach key stage 4 at age 11. That is why we are taking forward early intervention with Every Child a Reader and Every Child Counts, to give extra, special one-to-one help to those children so that they can get the support they need so that every child can excel in school, which is our ambition.

T3. [205941] **Ben Chapman** (Wirral, South) (Lab): It is foster care fortnight. These selfless people play a crucial role in our society, but I am told that 40 per cent. of them are unpaid and 75 per cent. earn less than the minimum wage. What does the Minister propose to do to address this issue, so that we can begin to tackle the shortage in Wirral and elsewhere?

The Parliamentary Under-Secretary of State for Children, Schools and Families (Kevin Brennan): In our Care Matters implementation plan and in the forthcoming Children and Young Persons Bill we set out a number of measures that we are taking to try to improve matters for foster carers. My hon. Friend is right to say that they play a vital role in the care system. Not all foster care is regarded as a profession or a job in the same way as in other areas, so although we have a national series of allowances, there is no national fee structure in relation to foster carers. Foster care fortnight is an excellent opportunity to raise awareness of the need for more foster carers and of the wonderful, rewarding work that they do.

T2. [205940] **Tom Brake** (Carshalton and Wallington) (LD): The Minister will be aware of new plans for parent-driven school inspections. Can he confirm how many parents will be needed to trigger an inspection, in what circumstances they will be able to do so and what he will do to stop vexatious repeat requests from parents?

Ed Balls: The chief inspector of schools has made a statement today, and I fully support it. It is right that the views of parents are fully incorporated into the inspections regime. Our national challenge programme to improve every school will require local authorities to take into account the views of local parents and to consult them actively. The details of how the inspection regime will work is a matter for Ofsted, not for me. I am sure that the chief inspector will want to ensure that we avoid vexatious views and the putting up of obstacles. I think it is right that we make it easier for parents to have a view and to, if not trigger, at least raise the potential for an early inspection of a particular school. I fully support what the chief inspector is doing to enhance parent power in our country.

T4. [205942] **Anne Snelgrove** (South Swindon) (Lab): The excellent reading recovery scheme at Oaktree primary school in Swindon is achieving remarkable results with young people, particularly Kerry, Charlene and Dylan, whom I heard read the other day; they were excellent readers. Would my right hon. Friend congratulate Celia Messenger, the tutor in charge of reading recovery and consider visiting the scheme? Is the success of Swindon's scheme replicated throughout the country?

The Minister for Children, Young People and Families (Beverley Hughes): I certainly welcome the opportunity to congratulate Celia Messenger and her colleagues. I can also categorically say to my hon. Friend that the success in Swindon has been matched nationally by an exceptional programme that has an improvement rate of 80 per cent. over 21 months, which is four times the normal age rate. That is why we are moving from pilots to a national programme with an investment of £144 million. I am sure that one of the team will be happy to visit Swindon as soon as we can.

Mr. David Laws (Yeovil) (LD): The Secretary of State will know of the shambles that we have seen over the past couple of weeks in the marking of 1.2 million key stage 2 and key stage 3 test papers. What action is he taking over this issue? Will he consider withholding some of the £153 million due to be paid to ETS, which is administering this contract, over the next five years?

Ed Balls: This is something that we have taken very seriously, and the Minister for Schools and Learners has himself been in consultation with the Qualifications and Curriculum Authority, which has responsibility for delivering the tests. It informs us that the actions that have been taken are sufficient to get things back on track, but clearly we will keep the matter closely under review, and he will take an active watching brief on the issue.

Michael Gove (Surrey Heath) (Con): Further to the answer that the Secretary of State has just given, he must know that ETS has a history of failure abroad. In 2004, in America, it gave 4,000 graduate teachers the wrong marks for their teaching exams and had to pay millions of dollars in compensation. Can the Secretary of State tell us what information he had about the company's failure in America before it was granted this contract? What steps did he take to avert further problems in this country?

Ed Balls: The decision to grant the contract was taken by the National Assessment Agency, which reports to the Qualifications and Curriculum Authority. It made the decision, not me. It is not for me to make individual contractual decisions in these cases, but clearly I am taking the matter very seriously. As I just said, we will keep it closely under review, and I shall talk to the QCA. The most important thing, from my point of view, is to ensure that our standard assessment tests marking goes smoothly for pupils, teachers and parents, and for the markers themselves. We have been assured that things are on track, but we will keep the matter closely under review.

Michael Gove: I am grateful to the Secretary of State for his reply, but is he really telling us that a contract was established with this company to monitor all key stage 2 and key stage 3 tests and Ministers did not know that it had been responsible for failing teachers wrongly in America and for paying out millions of dollars in compensation, and that it had been found wanting in graduate examinations across the United States? How was the company allowed to grant this contract without Ministers having oversight? Who will now apologise to the teachers and markers who are in the eye of the storm?

Ed Balls: As I said, this is a matter that the NAA takes forward as part of the QCA. It is something that we are monitoring closely, but the decisions are not made by me. I have no knowledge of the facts that the hon. Gentleman raises. If he had raised them at an earlier stage, I might have looked at them, but he has never done so before. The matter is something that we are happy to keep an eye on, but it is not a matter for me to award these contracts—it is a matter for the QCA.

T6. [205943] **Helen Southworth** (Warrington, South) (Lab): What progress has been made towards developing an action plan to safeguard runaway and missing children?

Kevin Brennan: The Government are committed to driving up improvements for young runaways, as we set out in the children's plan. I am grateful to my hon. Friend for the work that she and her cross-party group have done in that area. We have established a cross-departmental working group, and the action plan on which it is working will be launched in June. In addition, we will develop a new indicator on young people who run away, as part of the national indicator set to be measured from 2009.

T5. [205944] **Mark Pritchard** (The Wrekin) (Con): Newport high school in my constituency is one of the top schools in the west midlands and indeed in the country, so much so that next year many of the pupils will bypass GCSE maths and go on to AS-level maths examinations. However, as a result of that success, it will be penalised in the school performance tables. Why is the Minister prepared to see high-achieving schools such as Newport high school penalised for their success?

The Minister for Schools and Learners (Jim Knight): I am happy to have a look at the individual case, and if the hon. Gentleman wants to come and talk to me, that is fine and I shall have a look at it. Clearly, we want to motivate as many people as possible to achieve high standards in maths. If they want to go on to do AS-level maths, that is a good thing. I am happy to talk to him about how we could reflect that in the tables, but I need to understand whether the pupils have already taken GCSE maths as a stepping stone to the AS-levels, in which case the issue would be straightforward.

T7. [205945] **Mrs. Linda Riordan** (Halifax) (Lab/Co-op): The Minister's decision last autumn to order a review of city academies was most welcome. Could he now tell us when that review will be published? If the findings conclude that such schools do not benefit our poorest communities, can he confirm that the academies programme will be scrapped and successful comprehensive schools, such as he visited in Calder Valley last week, will be encouraged?

Jim Knight: I certainly had a very encouraging visit to Todmorden high in Calder Valley last week, and I was hoping to be able to nip over to Halifax to my hon. Friend's constituency, but unfortunately I was pulled off in another direction. As I said earlier, the academies programme is being consistently reviewed by all manner of people. Everyone who reviews it concludes that academies are doing a really good job, and I look forward to an academy replacing the Ridings school in her constituency and turning around performance that has been below the standard required for some time.

T9. [205947] **Ms Dawn Butler** (Brent, South) (Lab): Oakington Manor is one of my schools of excellence in Brent and it embraces many Government initiatives such as the Kickz programme and extended schools. Its head teacher, Sylvia Libson, says that children should have a safe place to go and structured activities to do. What are the Government doing to expand the Bill on unclaimed assets and the recommendations in it?

Beverley Hughes: My hon. Friend is right, and that is why we have put great stress on young people having much more access to structured activities with good adults than they have in the past. The Dormant Bank and Building Society Accounts Bill is going through the House now, as she knows, and one of the priorities, when the assets come on stream, will be the provision of such activities and places for young people. However, we are not waiting for that, and she will have heard my hon. Friend the Under-Secretary's reference to the myplace initiative, to which we have given £190 million to start the process before the assets come on stream.

T10. [205948] **Mr. Henry Bellingham** (North-West Norfolk) (Con): Is the Secretary of State—himself no mean cricketer—aware that tomorrow is national schools cricket day? He recently claimed that 90 per cent. of all state schools were offering cricket, which sounds an excellent figure. But is he also aware that the Cricket Foundation, the Government's designated organisation for delivering grass-roots cricket, discovered in a survey that only 10 per cent. of children actually play cricket in state schools? Are those figures correct? If they are, what will he do to try to get more young children on to the pitch?

Ed Balls: The hon. Gentleman is well known for his cricketing skills and interest, and for his work on the all-party group. It was a matter of pleasure for me to see him bowled out in the first over of our game last year, even though those from my side of the House went on to suffer defeat. According to my information, nine out of 10 schools do offer cricket to their pupils, and more than half of all schools have strong links with cricket clubs. We support enthusiastically the work of the Chance to Shine initiative and the national cricket day tomorrow, and I am happy to meet him to discuss the matter further. For the benefit of Members on both sides of the House, the current score is that New Zealand are 187 for four.

Ms Celia Barlow (Hove) (Lab): Will the Minister join me in congratulating Hangleton Park children's centre, which opens on Thursday—the latest of 14 across my city of Brighton and Hove? I have had the joy of visiting the openings of Clarendon Road, Cornerstones, West Hove school, Mile Oak and South Portslade children's centres. Does she agree that those centres not only provide a wonderful start in life for babies and toddlers, but are a cohesive force in the community, making adults realise the importance of parenthood?

Beverley Hughes: I am pleased that my hon. Friend will have another children's centre to visit in her constituency. As she rightly says, children's centres have always had two equally important priorities, because we can achieve the best possible development of young children only if we support parents too. That twofold approach is the right one.

Point of Order

3.32 pm

Dr. Julian Lewis (New Forest, East) (Con): On a point of order, Mr. Speaker. I ask your advice about the High Court's determination on Friday that Members' private home addresses should be published under the Freedom of Information Act 2000 when requests are made. As I have tried to indicate previously in the House, I believe that such a policy would be extremely dangerous in the present security environment, and my belief is shared by Members from all parties in the House. Until now, as the matter has been sub judice, we have understandably been prevented from discussing it in the House. We have not been able to discuss it in the press, because the press is in the driving seat of applications for addresses to be disclosed. What can we do properly to air publicly, in the Chamber or outside, our justified concerns about the security implications of this foolish decision?

Mr. Speaker: That was not a point of order, but the hon. Gentleman is right to say that the question of sub judice has now been lifted. Therefore, he or any other hon. Member can now table parliamentary questions or raise the matter in the usual way, perhaps through a debate. I thank him.

Orders of the Day

Human Fertilisation and Embryology Bill *[Lords]*

[1st Allotted Day]

(Clauses Nos. 4, 11, 14 and 23, Schedule No. 2 and any new Clauses or new Schedules relating to the termination of pregnancy by registered medical practitioners)

Considered in Committee.

[Sir Alan Haselhurst *in the Chair*]

Clause 4

PROHIBITIONS IN CONNECTION WITH GENETIC MATERIAL NOT OF HUMAN ORIGIN

3.34 pm

Mr. Edward Leigh (Gainsborough) (Con): I beg to move amendment No. 1, page 4, leave out line 5.

The Chairman of Ways and Means (Sir Alan Haselhurst): With this it will be convenient to discuss the following amendments:

No. 2, page 4, line 6, leave out from 'authorise' to end of line 12 and insert—

'(a) the mixing of human gametes with animal gametes,

(b) the bringing about of the creation of a human admixed embryo, or

(c) the keeping or using of a human admixed embryo.'.

No. 42, line 13, leave out subsection (4).

Government amendment No. 33.

No. 10, line 14, at end insert—

'(4A) A licence cannot authorise the creation of an embryo using—

(a) human gametes and animal gametes, or

(b) one human pronucleus and one animal pronucleus.'.

No. 11, line 22, leave out paragraph (b).

No. 44, page 4, leave out lines 25 to 27.

Government amendments Nos. 34 and 35.

No. 3, in schedule 2, page 54, line 31, at end insert—

'(ca) omit paragraph (f)'.

Government amendment No. 36.

No. 43, page 58, line 2, at end insert—

'(4A) A licence for research cannot authorise the creation of an embryo by the introduction of a sequence of nuclear or mitochondrial DNA from any species into one or more cells of the embryo or into gametes used to create that embryo.'.

Government amendments Nos. 37 to 39.

Mr. Leigh: Mr. Deputy Leader, amendment No. 1—

The Chairman: Order. I had not meant to interrupt the hon. Gentleman, but "Deputy Leader" is a new term.

Mr. Leigh: I apologise, Mr. Deputy Speaker. I shall start again.

Amendment No. 1 addresses probably the most radical proposal in the Bill, which is to create part-animal, part-human embryos. The main contention of the amendment's supporters is that that is ethically wrong and almost certainly medically useless—or, if it is not useless, that there is no evidence as yet to substantiate it.

[Mr. Leigh]

It is said by those who resist the amendment that we can rely on regulation, but we do not believe that regulation is enough. We believe that the move is a step too far and should therefore be banned. Indeed, the Government support the contention that some things are so ethically dangerous that they should be banned. For instance, the Bill will not allow the use of embryos for sex selection or to allow deaf people to have deaf children. Occasionally, the House makes a firm decision that something is ethically wrong. The House long ago decided, for example, that it did not want better to regulate capital punishment; it simply stopped capital punishment. The amendment is a call for these experiments to be banned.

It is said, too, that the embryos will be allowed to live for only 14 days. We do not believe that that answers the point that we are now crossing an entirely new ethical boundary. Many claims have been made for this research. On Second Reading, the Secretary of State cited Lord Winston as a supporter of the Bill. Indeed, Lord Winston is a supporter of the Bill, but he is also a lukewarm supporter of such research. He said:

> "If the hybrid embryo thing doesn't go through, it in no way shakes the body of science. It's not about embryos that can survive, or viable monsters. Nothing like that. It's a nice adjunct; a useful extra. But if we don't have that resource, it won't fundamentally alter the science of stem cell biology."

Let us compare that lukewarm support from Lord Winston, who is admittedly a supporter of the Bill, with what the Secretary of State said:

> "That development is recognised by scientists across the world as an essential"—

I emphasise the use of the word "essential"—

> "building block for establishing cures for many life-threatening diseases, such as multiple sclerosis, Parkinson's and Alzheimer's."—[*Official Report*, 12 May 2008; Vol. 475, c. 1068.]

Indeed, no one in the House denies that those are appalling diseases. How wonderful it would be if we had some realistic way of curing them, but there is no overwhelming or large-scale body of scientific evidence that suggests that such research, which crosses the ultimate boundary between animals and humans, will cure anything. That is our point.

My point of view is backed up by a letter written by scientists from "across the world", to quote the Secretary of State. It was written by Professor Scolding of Bristol, Professor Chopp of Detroit, Professor Franz of Munich, Professor Mackay-Sim of Queensland and Professor Martin of Melbourne and was published in *The Times* only this Friday. What did it say? It said:

> "In particular, given the current state of more conventional embryonic stem-cell research, of adult stem-cell research and induced pluripotent stem-cell research, there is no demonstrable scientific or medical case for insisting on creating, without any clear scientific precedent, a wide spectrum of human-non-human hybrid entities or 'human admixed embryos'...As scientists and clinicians actively involved in stem-cell research and regenerative medicine, we do not hold a single common view about the relative merits, ethics and potential of adult v (conventional) embryonic stem cells. But we all believe that extravagant claims regarding the purported merits of human-non-human interspecies embryos are mistaken and misleading, and that such research would damage public confidence and support, to the detriment both of the cause of stem-cell science and, ultimately, of patients."

I very much hope that all right hon. and hon. Members have a chance to go to the Library to read that important letter.

The public have been misled—cruelly, in many cases—into thinking that such research could lead to early and useful cures by exaggeration, misinformation and hyperbole.

Mr. John Redwood (Wokingham) (Con): My hon. Friend has studied these matters carefully and is making an interesting case. Does he think that the Prime Minister, too, is being misled, when he thinks that many people might be better off if such research were allowed to continue? Does my hon. Friend think that the Prime Minister's intervention will probably mean that more people support my hon. Friend on this important issue?

Mr. Leigh: I do not want to get involved in the politics of the issue. I have already made the point that there is no overwhelming body of science to suggest that useful research will result.

Contrary to what has been said, the provisions apply not only to cybrids—when the nucleus is removed from an animal egg and replaced with a human nucleus—but to the creation of chimeras, which are a mixture of animal and human cells, and true hybrids, which are created by fertilising an animal egg with human sperm or vice versa. That is truly pushing the boundaries, and I am delighted that my hon. Friend the Member for Boston and Skegness (Mark Simmonds) has tabled an amendment on that point. It is true that all those creatures have to be destroyed within 14 days and they cannot be implanted in a woman or an animal, but to listen to the press one would think that only cybrids were involved. In fact, the Bill legalises true hybrids, which are genuinely and absolutely 50 per cent. animal and 50 per cent. human.

It is not entirely true, as we so often read, that cybrids are only 0.1 per cent. animal. Roger Highfield, who is the science editor of *The Daily Telegraph* and does not normally support my views on many things, says that at the early stages of embryo development animal DNA is as much as 50 per cent. of the mitochondrial DNA. Of the mitochondrial DNA created in cybrids, as much as 50 per cent. might be animal, so it is not quite true that such early creatures are 99 per cent. human. Of course, if that is true, they are not just things; although they are anormal, they are potentially like human embryos—they have all or most of the genetic make-up of a human being.

Dr. Ian Gibson (Norwich, North) (Lab): Can the hon. Gentleman inform the House of the difference between animal DNA and human DNA—for example, in terms of the number of base sequences? Is there much difference? Is he 99 per cent. related to a monkey?

Mr. Leigh: The hon. Gentleman is trying to blind us with science, and his science is not even correct. I have cited the science editor of *The Daily Telegraph*. All I can say is that he thinks that in the early stages as much as 50 per cent. of the mitochondrial DNA might be human. That is his view. I accept that there is no overwhelming scientific consensus one way or the other, but for that reason we should be extremely cautious about how we proceed.

On a slightly lighter note, I was today e-mailed by a scientist, who told me that I had got it wrong and that I should not worry about admixing animal and human embryos because we have a large number of animal genes. He told me that I was 30 per cent. a daffodil and 80 per cent. a mouse. I am not sure that even my greatest political enemies would say that I was 30 per cent. a daffodil and 80 per cent. a mouse. I do not believe, with my soul or my brain, that I am 80 per cent. a mouse or 30 per cent. a daffodil. I think that the human race is special and different from the animal race, and that we should take the issue seriously for that reason.

3.45 pm

Dr. Evan Harris (Oxford, West and Abingdon) (LD): I am keen to defend *The Daily Telegraph*: Roger Highfield said that 50 per cent. of a cybrid's mitochondrial DNA might come from a human and 50 per cent. from an animal, but that is not inconsistent with a very small percentage overall coming from the animal. Over 95 per cent. of the DNA in such a cybrid is nuclear DNA. He is talking only about the split of less than 5 per cent.—probably less than 1 per cent.—of the mitochondrial DNA.

Mr. Leigh: The science editor went on to say that mitochondrial DNA is very important. As a medical doctor, the hon. Gentleman knows full well that tiny changes in DNA can cause very serious illnesses in adults, so the point is not minor. Even if he does not agree with me on that issue, if he is absolutely convinced that we are talking about a cybrid that is 99 per cent. human, surely he must accept the argument that it is ethically a being, and not just a thing. We should therefore be careful about how we treat it.

As regards true hybrids, Sir Liam Donaldson said in his evidence to the Select Committee that

> "there was no clear scientific argument as to why you would want to do it"

and that there was

> "a feeling that this would be a step too far as far as the public are concerned."

It is said that there is a shortage of embryos, but we know that there is no such shortage because there are many left from IVF treatment. It is said that there is a shortage of eggs, but eggs are needed for cloning only. There is enormous difficulty even in animal-animal cloning—more than 270 attempts were necessary to create Dolly the sheep—and there are enormous difficulties with therapeutic cloning. How much greater will be the difficulty in creating an animal-human clone! I therefore do not necessarily accept the argument.

Various red herrings have been brought up, such as the hamster test. The House was told on Second Reading that the research that we are discussing is already being done, but the hamster test was used only to test human sperm; a human entity was not being created. Today, we are talking about creating a new entity, so we should be very careful about what we do. We should ban what 21 other countries have banned. No other country in Europe is going down this route yet. In terms of embryonic research, we will almost be like a rogue state.

Dr. Brian Iddon (Bolton, South-East) (Lab): Will the hon. Gentleman tell the House why he is talking about entities, species and beings? The stem cells will be harvested at the blastocyst stage, so there will be 50 to 150 cells at the most. At that stage, there is no sign of development of an entity, being or species. Why is he misleading the House?

The Chairman: Order. This is a profound debate on which people hold very strong views, but I hope that it can be conducted with good humour and in good order. No hon. Member misleads the House. I hope that the hon. Gentleman will withdraw that remark.

Dr. Iddon: I withdraw it.

Mr. Leigh: Of course I am not trying to mislead the House. I genuinely believe that what I am saying is the truth, as my conscience tells me. I would not dream of trying to mislead the House. My conscience tells me that an embryo is not a thing. It has been fertilised, and I believe that human life begins at conception. That is my personal view. It may not be the view of the whole House, but I think that I am entitled to put it forward, and it is the view of many scientists and moral philosophers. It is not a completely unusual view.

It is said that cybrids are needed for research, but we know that no animal-human embryo will ever be developed into anything significant in any true sense. As we know, it cannot develop in anything like the way a human embryo can. For instance, Professor Newman of New York medical college was quoted on Second Reading. He has stated that the

> "growth and development of the human-cow hybrid clone would say very little about the potential of a human only clone to develop in the same fashion."

Particularly in the public mind, the debate has been clouded by the sense that there are diseases out there waiting to be cured. Enormous advances have been made on stem cells—there have been 70 successful treatments with adult stem cells—but for the past 10 years, we have been told that useful developments on embryonic stem cells are just around the corner. I sat through most of the Second Reading debate, when the fact that 70 successful treatments have arisen from adult stem-cell research was mentioned several times. The hon. Member for Oxford, West and Abingdon (Dr. Harris) has mentioned the prospect—we have heard this again and again—of two early clinical trials in the United States. We have heard that for many years, but nothing has happened.

Mr. David Burrowes (Enfield, Southgate) (Con): I also attended the Second Reading debate, when reference was made to those clinical trials. This month, the United States Food and Drug Administration refused to allow clinical trials using embryonic stem cells.

Mr. Leigh: Let us make no mistake—what we are doing this afternoon is unique. No other country has gone down this avenue yet. When there is obviously no scientific consensus, no public consensus and no overwhelming proof that any good will come of it, do we really want to take that step?

Chris Bryant (Rhondda) (Lab): The hon. Gentleman has mentioned false arguments, but the arguments that he is advancing are remarkably similar to those used by those in the Churches and elsewhere who opposed vaccination. Those people believed that it was uncertain that vaccination would provide the benefits claimed by scientists and that it was wrong to use a vaccination developed in cows, through cowpox, to solve a human medical problem, namely smallpox. They were wrong, and he is wrong today.

Mr. Leigh: Nobody on my side of the argument has any problem with successful research, but the creation of an entirely new part-animal, part-human entity is different from research into smallpox.

Several hon. Members *rose—*

Mr. Leigh: I will give way to my hon. Friend the Member for Stone (Mr. Cash), but then I must make progress.

Mr. William Cash (Stone) (Con): I agree with my hon. Friend, particularly with respect to the available alternative therapies. The Nuremberg principles unequivocally state:

> "The experiment should be such as to yield fruitful results for the good of society, unprocurable by other methods or means of study, and not random and unnecessary in nature."

Is that not a good lesson?

Mr. Leigh: We should all subscribe to that principle.

It has been stated that research is needed, because it would help adult stem-cell research. However, Dr. James Sherley of the Boston biomedical research institute, who has visited the House and discussed the matter with hon. Members, has described that argument as "a contrivance". He has said that placing embryonic stem cells into adult tissue puts them in the wrong place, which is common sense. The very potency of embryonic stem cells means that they can cause tumours, and Dr. Sherley believes that such research is a blind alley.

Dr. Phyllis Starkey (Milton Keynes, South-West) (Lab) *rose—*

Mr. Leigh: I want to make some progress; if there is time, I will give way later.

A vote for animal-human research is not a vote for hope; it is a vote for false hope, and we should not take that risk. It is not good enough to say that such research will be tightly regulated. In many ways, our age is one of technology giants and ethical infants—we are like children playing with land mines, because we have no idea of the dangers posed by the technology that we are handling.

It has been stated that there is no prospect, and that there never will be, of creating humanzees, although that was attempted by Soviet scientists in the 1920s—sadly, they got nowhere. However, what Professor Hugh McLachlan of Glasgow Caledonian university has said is interesting:

> "Any species came to be what it is now because of all sorts of interaction in the past. If it turns out in the future there was fertilisation between a human animal and a non-human animal, it's an idea that is troublesome, but in terms of what particular ethical principle is breached it's not clear to me. I share their squeamishness and unease, but I'm not sure that unease can be expressed in terms of an ethical principle."

That was written by a professor in a British university. There is a prospect, although I know that it is only tiny.

Do we want to put all our faith in regulation? Can we not recognise a principle when we see it? We do not have to be Christians to believe that we are all created in God's image. We can surely accept that embryos contain the genetic make-up of a complete human being and that we cannot and should not be spliced together with the animal kingdom.

The process that we are discussing will perpetuate the destruction of human embryos: 2.2 million have already been destroyed. I know that on Second Reading some cast doubt on opinion polls, but a recent Opinion Research poll said that 67 per cent. oppose the measure, and in 2007 the Human Fertilisation and Embryology Authority's own poll said that 62 per cent. of people were opposed. Whatever the arguments about public opinion, I repeat that there is no public consensus.

A lot of attacks have been made on Cardinal O'Brien—"How can this man talk about Frankensteins? We are not talking about monsters." However, a monster does not have to be big and ugly; it could be a monstrous creation. If an embryo could talk, perhaps they would echo what Mary Shelley wrote in "Frankenstein":

> "I, the miserable and the abandoned, am an abortion, to be spurned at, and kicked, and trampled on."

I believe that science is doing wonderful things, but it can also do terrible things. Science should be our servant, not our master. Science should not tell us what to do on all occasions; it can tell us what can be done, but should not necessarily tell us what to do. In history, science and even medical research has been corrupted and futile research should not be allowed.

May I leave the last word to Professor Yamanaka, who was quoted by my hon. Friend the Member for Boston and Skegness in the debate on Second Reading? The professor has turned away from embryonic stem-cell research and is a leader in adult stem-cell research. He turned away because of what he saw through the microscope 10 years ago:

> "When I saw the embryo, I suddenly realised there was such a small difference between it and my daughters."

This measure is a step too far, and we should oppose it.

Sir Gerald Kaufman (Manchester, Gorton) (Lab): There is no doubt whatever that in one regard there is no difference between different sides and different hon. Members in respect of their consciences: we all wish to find cures for baneful afflictions. The current issue of *The New Yorker* has an article about a chef in New York who has tongue cancer. Attempts have been made over a long period to treat him, without any success whatever. The man has gone to the highest medical authorities in the United States. They have done their best to treat him, but at the same time, they have not said, "If only we had new opportunities for research, one day or other we might find a cure for the appalling affliction that this young man had." Whatever our view on the issue or the amendment, there is no difference between any of us in the Chamber in this respect: if research has a good chance of abating or curing dreadful diseases that afflict the human race, we would want it to proceed.

Every single one of us in the House has had personal or family experience of the afflictions that are talked about in relation to the clause. In the case of my family, an elder brother and an elder sister had their final years made appalling—for themselves and my family—by the affliction of Alzheimer's disease. If there were a realistic prospect of research bringing us a cure for or abatement of Alzheimer's disease, I would be first in the queue to support it.

4 pm

A nephew of mine, much younger than I, and a brother-in-law who was the husband of another of my sisters, suffered and eventually died from malign tumours of the brain—the cancer that was talked about. If there were a realistic prospect of doing something to prevent such deaths, or the death of my predecessor as Member of Parliament for Manchester, Gorton, Ken Marks, as a consequence of motor neurone disease—one of the most dreadful of all diseases—again, I would be first in the queue to support it. I am not talking about direct certainty because we can never have that, but the realistic prospect that there might be a cure or a way of preventing such appalling afflictions.

There is, therefore, no difference between what any of us want. There is probably little difference between any of us in our desire to advance research that has a realistic prospect of alleviating, curing and preventing the kind of diseases that I have talked about. I have a problem with the clause, however, and I shall be voting with the hon. Member for Gainsborough (Mr. Leigh) for this reason. It is not that I do not want the ends that so many of my colleagues want, but the fact that there might be a minute prospect of successful research dealing with such matters. If it were on the agenda, those advancing the arguments in favour of the provisions would not be using the words "could" or "might" and would not be saying that there might conceivably be a prospect of making some advance. They simply want to try it. I saw a performance of "King Lear" the other day, and I was reminded of what King Lear said:

> "I will do such things,
> What they are, yet I know not".

The provisions do not have a path; all they have is a possibility. The language, honestly used, by those who support the clause admit that it is a remote possibility.

In addition, there is the question of the ethical nature of such research. We all have different views about ethics. One can be an atheist and have ethical views as strongly based as someone with the most profound religious convictions. The press have talked a great deal in a way that I do not much like about pressure from the Catholic Church on the issue. I have the most enormous respect for the Catholic Church, but I know that my Catholic constituents and Catholic priests would not claim that they had a monopoly on ethical views. I happen to have religious convictions, which feed into my views on the issues that we are considering.

What is the nature of humanity? How far do we go and where do we stop? What are the limits and boundaries? If we permit the creation of a hybrid embryo now, what will we seek to permit next time, even though we have no idea where it will lead? There is no point in saying, "This is harmless." It may well be harmless—I do not know. However, if the issue were not controversial and difficult, the Bill would not be needed to authorise such research because it would already be lawful. The Bill is required to legalise hybrid stem-cell research, if it is to be permitted. If the matter were uncontroversial, there would be no need to place such controls on it. If there were no ethical dilemma or judgment to make, an Act of Parliament would not have to say, "Scientists, we're going to let you do this, but, by gosh, we're going to watch you and control you and make sure you don't break the law." With no dilemma, there would be no law to break.

Every hon. Member is considering her or his conscience. The fact that we have a conscience is an ingredient of the debate. I believe—like, I am sure, most hon. Members—that the planet does not belong to human beings alone, but to every creature on the face of the earth. However, it is no reflection on a dog or a tiger to say that their genetics have not equipped them with a conscience. As part of our genetic origin, we have been equipped with a conscience and it is no reflection on any hon. Member's views or convictions when I say that if we have been endowed with a conscience, we have a duty to exercise it in making decisions about aspects of the Bill.

I cast no aspersions on the way in which any hon. Member will vote at the end of the debate. All I can say is that, having considered the issues, the consequences and the appalling suffering of people whom I have known personally and whom I would have wished not to suffer, my conscience tells me to vote with the hon. Member for Gainsborough. I shall do that.

Mark Simmonds (Boston and Skegness) (Con): It is a pleasure to follow the right hon. Member for Manchester, Gorton (Sir Gerald Kaufman), who has a neighbouring office to mine in the House and whom I have always found to be extremely charming and courteous. He is right to say that the debate is about individual conscience and that we all, irrespective of party, want science and research to proceed if it is possible to find solutions. Of course, that conscience needs to be exercised within an ethical framework. However, I do not agree that everything categorised as admixed embryos for today's debate shows no prospect of solutions to the genuine problems that exist. Indeed, I must correct him. He is incorrect to say that there has been no advance. Indeed, the Human Fertilisation and Embryology Authority has already granted two licences for cytoplasmic hybrid research, which entails various hurdles.

It is also a pleasure to follow my hon. Friend and fellow Lincolnshire Member of Parliament the Member for Gainsborough (Mr. Leigh), who is a distinguished and experienced parliamentarian. Although I do not agree with everything that he said—I will set out why—I respect and acknowledge his ethical position.

There are three or four key reasons why I do not agree with the amendments that my hon. Friend and others have tabled. The first concerns therapies for illnesses and diseases. As I have said, research is already under way in that area involving cytoplasmic hybrids. There is no doubt that there is a shortage of human

[Mark Simmonds]

eggs for the production of embryonic stem-cell lines and research or that more are needed to enable such research to move faster. I am also keen to ensure that the House understands that there are significant differences between embryonic stem cells and adult stem cells, particularly given the versatility of embryonic stem cells, which can transfer themselves into almost every cell in the body, which adult stem cells currently cannot do.

Lembit Öpik (Montgomeryshire) (LD): The Motor Neurone Disease Association, of which I am president, would agree with the hon. Gentleman on the shortage of stem cells. It has said that

> "there is no viable way of studying diseased human motor neurones in the laboratory, which is greatly inhibiting our understanding of"

motor neurone disease and its causes. The association continues:

> "Stem cells derived from human-admixed embryos…offer us a potential source of motor neurones for research."

I hope that the hon. Gentleman would agree with the association that using animal eggs as empty vessels

> "for the creation of human embryos overcomes the limiting factor of the availability of donated human eggs."

Although there are ethical issues in using animal eggs, surely it would be unethical not to use a methodology that could save 16,000 lives a year in the UK alone.

Mark Simmonds: The hon. Gentleman makes a fair point. He is probably aware that a research project has been licensed to look specifically into the area that he highlights.

The other issue that we need to address, which also relates to why I do not agree with the amendments standing in the name of my hon. Friend the Member for Gainsborough, is the correlation between adult stem cells and cord blood cells, which do not negate the need for embryonic stem cells and embryonic stem-cell research.

Ms Celia Barlow (Hove) (Lab): I note with interest the hon. Gentleman's mention of umbilical cord blood. Does he support the call of the Anthony Nolan Trust, with which I have worked in the tragic case of seven-year-old Keiton Knight, a constituent of mine, for a national cord blood bank, which might easily help many thousands or even millions of people?

Mark Simmonds: I thank the hon. Lady for that intervention. There is a strong argument for a cord blood bank—indeed, an attempt is currently being made to put one together—and the Anthony Nolan Trust has done a lot of excellent work in this area. However, there are complexities to do with who pays for it. For example, should a cord blood bank be done on the national health service or can the independent sector make a contribution? They are the details that need to be worked through. Personally, I think that embryonic cord blood could make a significant contribution to disease resolution in the future.

Mr. Burrowes: I am grateful for my hon. Friend's support for encouraging umbilical cord blood research, given the more than 80 treatments that have already been developed worldwide. My concern is about the opportunity cost imposed by the Bill. The cost of focusing our attention today, and resources and funding subsequently, on admixed embryo research is surely that other areas and ethical alternatives will not receive the attention and funding that they deserve.

Mark Simmonds: I am grateful to my hon. Friend for making that point, but I do not agree with him. We must ensure that all possible avenues within the ethical framework that the House believes in are followed, to maximise the opportunities to find a resolution to such awful diseases and illnesses.

Sarah Teather (Brent, East) (LD): Will the hon. Gentleman give way?

Mark Simmonds: I need to make some progress, but I will be happy to give way in a moment.

I want to explain what amendments Nos. 10 and 11 would do and why they differ from the amendments that my hon. Friend the Member for Gainsborough has tabled. Amendment No. 10 would outlaw the creation of true hybrids and amendment No. 11 would remove the creation of true hybrids from the permitted types of admixed embryos. It is essential to allow embryonic stem-cell research to continue, not only to assist some of the research projects that are already under way, but to assist induced pluripotent stem-cell research, because we do not know which types of research will provide the breakthroughs.

I should point out to my hon. Friend that I was so concerned about the work that Professor Yamanaka was doing in Kyoto that I went to see his team—I had the good fortune to be out in Japan as a guest of the Japanese Government at the time. His team was keen for me to understand that embryonic stem-cell research is a key part of pluripotent stem-cell research. It forms a fundamental benchmark and comparison against which they can monitor and measure the progress of induced pluripotent stem-cell research—to such an extent that it is not allowed in Japan. That is why Professor Yamanaka has an embryonic stem-cell research facility at the university of San Francisco, in California.

4.15 pm

Scientists must be congratulated on their work in this field and their progress in stem-cell research so far. I am not anti-science; I simply think that we need to consider carefully the ethical and moral framework under which we allow scientists to continue some of this work. It will be useful if I explain the four different types of admixed embryos, because they are very different. I hope that when I have explained the differences, the House will understand why I think that we need to prohibit the use of what are euphemistically called true hybrids.

The first type of embryo is the cytoplasmic hybrid, which is euphemistically called a cybrid, and involves removing the nucleus from an animal egg cell and replacing it with one from a human. It is essentially a vessel to compensate for the shortage of eggs that are needed to produce embryonic stem cells. As I have said, two licences for that practice have already been granted. I am sure that the hon. Member for Norwich, North (Dr. Gibson)—a distinguished scientist—will confirm that mitochondria, which are in the area around the cell nucleus, are neither animal nor human, but are autonomous. We need to clarify this aspect of the law, because the Human Fertilisation and Embryology Act 1990 did not foresee cybrids coming along. The Human Fertilisation and Embryology Authority has therefore granted two licences for such work to be carried out, jumping ahead of legislation. If we agree with the amendment tabled by my hon. Friend, we will go back to the days before the 1990 legislation, which would not be a positive change.

The second category of embryo is the human transgenic embryo, for which animal DNA is put into one or more cells of a human embryo. Both nuclear and mitochondrial DNA are inserted such that there will be a DNA sequence that controls the expression of the DNA already in the human sample. The hon. Gentleman made the point that DNA is not intrinsically human or animal. Sections contain proteins that are identical between animals.

The third category of embryo is the chimera, which involves adding animal cells to a human embryo; it has two or more cells from different organisms. A chimera could contain two different mouse cells, such as a mouse stem cell in a mouse embryo. Chimera are useful research tools for the observation of disease and treatments. With these, the human cells significantly outnumber those from animals.

The final category of admixed embryo is known as the true hybrid. It combines human gametes—for those who are uninitiated with the terminology, a gamete is either an egg or a sperm—with animal gametes, which are also either egg or sperm. As was pointed out earlier, the 1990 Act allows such embryos under what is called the hamster test, but they are allowed to go only to the two-cell stage and must then be destroyed. If we allow true hybrids to continue, that limit would be extended to 14 days.

Neither amendment No. 10 nor No. 11 suggests any change to the 1990 Act, which is subject to schedule 2, paragraph 1(f). Those who know about this issue will be aware that the hamster test is not used much. New technologies—specifically intracytoplasmic sperm injections—have significantly reduced the need for that type of assessment in clinics. Indeed, a distinguished stem-cell biologist, Dr. Robin Lovell-Badge, whom I shall mention again, told me in a letter only last week that the intracytoplasmic sperm injection had made the hamster test largely irrelevant.

Originally, the Government were not going to allow true hybrids up to a 50:50 genetic material mix of animals and humans. However, in response to the pre-legislative scrutiny Committee, the Government changed their mind, and I would like the Minister, in her response to the debate, to put on record why they did so. This shifting position seems to undermine any consistent ethical position on admixed embryos.

Dr. John Pugh (Southport) (LD): I am sure that the hon. Gentleman will be aware of the briefing from the Academy of Medical Sciences, the Royal Society, the Wellcome Trust and the Medical Research Council, which we have all received. It states:

> "We are not aware of any current need to generate true hybrid embryos".

Would the hon. Gentleman like to comment on that?

Mark Simmonds: If the hon. Gentleman will bear with me, I will come to that specific point in a moment. He is right to make that point, however, although there has been some dissent in the scientific community since Second Reading as to whether that is or is not the case.

So there has been a shift in the Government position, which seems to undermine the ethical situation. There was an extensive debate in the other place on the issue, but no reason seemed to be given, except that the Committee and those in another place could see no reason why true hybrids should not be included.

The HFEA, many scientists and I believe that embryonic stem-cell research is necessary. It is a research requirement that the research could not be achieved by any other means than by embryonic research. As I have said, adult stem cells are different from embryonic stem cells. When visiting Newcastle university, I saw an embryonic stem cell, created from a human embryo, under a microscope, beating like a heart muscle. That has not been done using adult stem cells. When visiting Kyoto, it was clear that embryonic stem cells were essential for benchmarking for pluripotent adult stem cells, exciting though that prospect is.

There are therefore significant differences between the different types of admixed embryos. I personally have no issue with the first three. I take issue only with true hybrids, which is what amendments Nos. 10 and 11 are about. The first reason is that, in the context of this debate, the Government have changed their position without clearly making their case. They are obviously uncertain about this.

Furthermore, the scientific community has expressed serious reservations about true hybrids, and these were quoted by other hon. Members on Second Reading. Indeed, since last Monday's debate, the distinguished stem-cell scientist Dr. Robin Lovell-Badge has felt it necessary to clarify his position. Those who were here for the Second Reading debate will remember that he was cited as the leading scientist who felt that there was no need for human hybrid embryos to be approved under the legislation. He seems to have changed his mind, however—whether under pressure or otherwise remains unknown. During the oral evidence session of the pre-legislative scrutiny Committee, he said:

> "I cannot think of a good experiment to do now".

However, in a letter that Dr. Lovell-Badge wrote to me after the Second Reading debate last week, he confirmed that there were primarily three areas in which true hybrids could be useful. I shall outline each one quickly if I may. The first involves the hamster test, which was permitted under the 1990 Act. That would be allowed to continue if these amendments were passed today. The second area involves artificial gametes, making sperm from pluripotent cells. The Minister confirmed on Second Reading that she would not allow such a provision to be in the Bill at all. The third area involves the use of what is called somatic cell nuclear transfer to understand the mechanisms by which human somatic cells can be reprogrammed from one cell type to another. It is the rationale for the construction and study of cytoplasmic human hybrid admixed embryos, which will be allowed under the Bill even if my amendment is passed.

Even if Dr. Lovell-Badge were alone in having clarified his thoughts, there would be a serious issue to debate,

[Mark Simmonds]

but many other scientists have also expressed significant concerns about true hybrids. Lord Winston is another example, and my hon. Friend the Member for Gainsborough was absolutely right to quote Sir Liam Donaldson's evidence to the Committee that there was no clear scientific argument for this measure, and that it represented a step too far. Indeed, many other scientists in the stem-cell field, who do not wish to be quoted, have grave reservations. This is an anonymous quote:

> "I cannot understand why anyone would want to make true hybrids".

These are true scientists in the field.

There are significant differences between true hybrids and other hybrids. The true hybrid is not always at the human end of the spectrum. There is an ethical difference between a cell that is 99 per cent. human and one that is 50 per cent. human. Where is the principle for having a cut-off point of 50 per cent.? Should it be 50 per cent., 51 per cent., or 49 per cent.? Where will the legislation allow animal implantation if the cell is 51 per cent. animal rather than 51 per cent. human?

Dr. Evan Harris: Will the hon. Gentleman explain what the ethical difference is between 50 per cent. and 51 per cent., or between 51 per cent. and 99 per cent.?

Mark Simmonds: I think that there is a very big difference between a cell that has a 51 per cent. animal and 49 per cent. human make-up and one that has a 99 per cent. human make-up. That is, of course, what we are debating today and it is the issue on which the House must make up its mind. There is a also a significant difference between the transfer of genes and chromosomes and the mixing of gametes, which are sex cells.

I hope that the Minister will be able to clarify some of the issues we have raised. I wait to hear her response before deciding whether to put these amendments to the test later.

The Chairman: Perhaps I should remind hon. Members that we are in Committee and not in the House, so the form of address to the Chair is different from our usual practice. I apologise in that I misdirected hon. Members earlier by my own reference to the House, as opposed to the Committee.

Dr. Gibson: Sir Alan—*[Interruption.]* I know he is a great cricketer in the making.

It is, I think, the desire of all stem-cell scientists one day to take an adult stem cell and reprogramme it to be just like an embryonic stem cell—one that can, with growth factors, be turned into different types of tissues. That is the El Dorado and claims have been made that we are moving in that direction, particularly, as has been pointed out, on the basis of work done by Yamanaka at Kyoto university. It is important to be critical of his work and to be aware of how far it goes, as it has been used as an example to show that adult cells have something major to offer in this field.

We use viral vectors in this area; they are called retroviruses and they have a habit of carrying genes into the chromosomes of the cells where the retrovirus is incorporated. I believe there are 20 sites in the particular cells that Yamanaka has looked at. There are 20 copies of this virus lying there, influencing how the particular genes work. It is argued by some people that the cells turn into embryonic-type cells. However, anyone who looks at Yamanaka's paper and dissects it in detail, as I have, will see that it is nothing like that. There are many problems and flaws—and not just with the retrovirus, as it may be possible to get round that and find other ways to get the particular genes in to turn the cells back into the embryonic stage. Only very few of the colony cells that are treated develop any kind of resemblance to an embryonic cell. It is something in the region of 10 out of 50,000 cells that take on some of the properties associated with embryonic cells. Yamanaka is quite critical about it in his own paper. He says that there are

> "minor genetic alterations, which could not be detected by karyo-type analyses, or epigenetic alterations",

which may be necessary for "cell induction". He continues:

> "These issues need to be elucidated in future studies."

He goes on to say in respect of the particular human cells influenced by the virus that it is unlikely at this stage for anyone to be able to commit to saying that these cells are very like embryonic cells. Even that work, then, leaves a lot to be desired.

We have heard about adult cord cells. It is absolutely true that they are very effective in certain haemopoietic diseases—blood diseases, anaemias and so on—but they are unable to turn into other cell types. Clearly, there is a lot yet to learn about adult cells and cord cells.

We still have the mystery of life around us. It is still possible to take a plant cell and grow the whole plant. I have always wondered about the secrets of plants without for a minute thinking of turning a plant into a human being. Gosh, we might get funding from some source to look into that! There is some magical mystery there that we have to discover, in which we can turn cells around into different tissues. Plants have something to offer in that area.

With the particular cells that would be made, we could treat single patients—that is true—but a culture of embryonic stem cells can be grown to treat lots of different patients with a particular condition. That is the El Dorado; that is the dream. Degenerative diseases can be handled in a larger arena than the single individual.

4.30 pm

Stem cells, too, are something quite new, and it is argued that we have not turned up anything yet. Stem cells were debated in this place in 2001, and were legitimised in terms of our being able to do any work with them. Their isolation was achieved in Wisconsin in the USA in 1998. The first licences in this country for doing any work with them came in 2003, so we are five years down the line and people are expecting major results that will turn the world around.

How long does it take any good company in this country or in the USA to develop a drug? It takes 20 to 40 years. Do we ever hear people being critical of drug companies being slow? They have many, many tests to go through, which we should be glad about.

Mr. Cash: In the light of what the hon. Gentleman said on Second Reading and in the light of what he is saying today about adult stem-cell research, will he not apply the same criteria to that as well, in that clearly a time will have to elapse before we can be absolutely sure about either type of research? Has not the Bill therefore been introduced too soon?

Dr. Gibson: I agree absolutely, but what we are saying here in the rational world of debate is that there are different ways to make stem cells at an early stage to use for whatever we are going to use them for—I shall return to that point in a moment—but we should be trying everything. There is no easy bet that one will be better than the other. We might need all different types for different types of disease. We should not allow ourselves to be differentiated into saying, "Adults' are better than embryonic, and cord cells are the best of the lot." They are very restricted in what they can do.

Lembit Öpik: On that very point, Professor Chris Shaw, professor of neurology and neurogenetics at King's college, London and a leading motor neurone disease researcher, has said something much in line with what the hon. Gentleman is saying:

> "I cannot guarantee that embryonic stem cells from hybrid embryos will lead to a breakthrough, but I do think it would be a huge mistake to slam the door on this potentially important avenue of research. I believe that every effort should be made to understand the causes of MND because this is the only way we will develop really effective treatments".

To hold off would mean taking a precautionary principle, which, in effect, would kill all those people who could be saved if we invested now to see whether this was the right way to the cure for MND.

Dr. Gibson: I concur with that general view.

Sarah Teather: I thank the hon. Gentleman for giving way. He is arguing that we need to keep all avenues of research open, but that is not the way that we deal with licences for animal research. An application to do research on a chimpanzee would be unlikely to be granted until people had demonstrated that they were unable to do that research on something less ethically difficult—for example, a rat or a hamster. Does the hon. Gentleman not see that there is a difference here?

Dr. Gibson: I thank the hon. Lady for that intervention, but as a hard-nosed scientist, no. People work on the best organism to give them the answer that they want to see. They might not get the answer and they might even have to work on a worm to get the answer that they want. In other cases, people want to move up to the clinical situation. There, they have to go through rhesus monkeys and so on.

I know that lots of people think that using animals is ethically wrong, but I tell the House this: scientists can be fallible, but they are tightly regulated and have to go through ethical committees in much of the work that they do. They have to get permission to use certain animals and they have to deliberate on how they are going to use them. They have to prove how things will be done so that there is no cruelty appertaining to that situation. Mice, rats, guinea pigs and other animals have all featured over the history of this period, but—

Judy Mallaber (Amber Valley) (Lab): Will my hon. Friend give way?

Dr. Gibson: In a second. I want to make one point.

On Second Reading, I said that I remembered a time in the '70s when genetic recombination was the bugbear. We were putting genes from another organism inside a bacterium or whatever. That caused trouble right across the USA. It was the scientists themselves, at a huge meeting and seminar, who disciplined themselves and ran a campaign on how to assess the dangers pertaining to such work—not just the dangers to themselves and the technicians in the lab, but the dangers to the public outside. The whole of Boston was up in arms about that kind of work being done at Harvard.

When we look back now and ask whether those scientists were right, the answer must be yes. People may not like genetically modified plants, but gosh, if they have diabetes they will all be using insulin made from GM organisms. That was the big issue in the debate about genetic modification in this place. When it led to medical improvements in our conditions it was OK, but when it involved plants it was a bit different. We know that there are many other issues involved relating to big companies and so on, but I can tell the Committee that people really do support attempts to improve their lives, and insulin is a good example. If we had banned GM completely, we would not have the human insulin that has saved so many lives.

Judy Mallaber: Will my hon. Friend clarify his exchange with the hon. Member for Brent, East (Sarah Teather)? As a scientist, can he give some examples in which adult stem cells would be of no use in advancing experimentation? I understand from some of our debates that pancreatic stem cells do not exist in adults, whereas we have heard about motor neurone stem cell lines being developed in a dish from embryonic stem cells that could be used for compounds.

Dr. Gibson: It is extremely difficult to obtain adult stem cells from the human body, although there are instances in which some stem cells are in better condition than others. The longer a stem cell stays in the body, the more likely it is that an ageing effect will lead to mutations, while an embryonic cell at the start of a process does not show any of the changes in DNA that we call mutations.

It has been said that no tests are in progress. That is untrue: tests have started in the United States. Experiments have begun using human embryonic cells to deal with spinal cord injuries. Neuronal cells have been placed in people, and it has been shown that they repair spinal damage. I have not yet confessed today that I am a member of the Stem Cell Foundation, which includes some of the most distinguished scientists in the world who are interested in stem cells. Their sole motivation is not to be uncritical about stem cells, but to ensure that when the stem cell flood happens—if it does happen in the next few years—we in this country develop the technology.

People must remember the combining of cells at Cambridge university, when monoclonal antibodies were produced. That work was stopped for various reasons, but the United States now has a $21 billion

[Dr. Gibson]

empire in the manufacture of monoclonal antibodies, which treat various types of cancer. We think that that can and should be done in this country.

Mr. Burrowes: We could all point to stem cell research avenues, not least in relation to cord blood. We could point to the progress made in the fields of neurology, spinal cord repair, stroke therapy, cerebral palsy and aneuristic brain injury. There is potential in all those areas. As for the provisions in the Bill on human admixed embryos, will the hon. Gentleman—as a scientist—tell me what evidence there is in favour of authorisation? Since 2003, there has been only one peer-reviewed published article. Is it not unprecedented to proceed on the basis of such scant evidence?

Dr. Gibson: If I am honest—and I am, I think—if there had not been such tight regulations and such difficulties in obtaining licences, for all sorts of reasons, we might be further down the line. As a scientist, and as one who knows science backwards, I feel that we are constrained by all sorts of regulations involving health and safety and how we operate with cells in laboratories. However, the reason scientists carry out research is that they have a hunch, an idea, perhaps on the basis of earlier work, which makes them say "I wonder what would happen if…" That is how science advances. Scientists are fallible—they are not always on the right lines—but gosh, if the world did not have science we would not have the medical cures that we have, or, indeed, any understanding of climate change, about which many Members spout without knowing much about the science.

Dr. Pugh: The hon. Gentleman mentioned tight regulation by the Human Fertilisation and Embryology Authority. What proposals has the authority actually turned down?

Dr. Gibson: I cannot say exactly how many, but I know that it has turned down a few. *[Interruption.]* Well, it might not have published how many, but it has not sanctioned every proposal that has come forward—and I would hope that it would not do so, because it is a tight, tough regulatory agency. Therefore, the hon. Gentleman is wrong if he is implying that it is a walkover and that every proposal goes through. That is not true. Lord Winston in the other place says it is much too tight and regulatory and that it stops too much happening; he is against the HFEA precisely on the grounds that it does things of the kind that the hon. Gentleman implies it does not do.

Mr. David Chaytor (Bury, North) (Lab): Does my hon. Friend agree that it is not possible to argue, as some opponents of this proposed legislation have done, both that the Bill should not proceed because there is insufficient evidence of scientific progress and that it will take us down a slippery slope that will lead to a further relaxation of regulations in future? Either the research will not produce results some years down the line; or it will, and it will require a different regulatory framework at that stage.

Dr. Gibson: I thank my hon. Friend for that observation. I think the proposed legislation allows for that in certain arenas, and for the fact that, as we said on Second Reading, many new discoveries and technologies will be developed out of human DNA understanding. The Bill must allow frameworks to be easily adapted. We do not want to have to have a debate every year for two or three days with Committees and so on; we need to make sure that we can take science on, and that when new science comes through that is useful, the legislation allows for that.

I welcome the fact that we in this Chamber are debating this matter in the way that we are; that is important, because we are reflecting much of the feeling that there is among the general public, and that is how it should be. I am very keen for a Joint Committee to be established to look at ethical questions in the same way as certain organisations and charities do. There is no reason why we in this Chamber should not show ourselves in a good light by picking up on the general debates and arguments out among the public, and that is what we are doing now.

What else could we do with these admixture cells? We could take nuclei from people with motor neurone disease—I see the hon. Member for Montgomeryshire (Lembit Öpik) has suddenly perked up at the mention of MND—and put that into the animal kernel or cytoplasm. Why do we use animal cells, in any case? Because we cannot get human eggs at this stage. The scientific community would not want to use animal cells in elements of its research if it could get human eggs. So we could look at what these MND genes do up until the 14-day stage, when such admixed embryos would have to be destroyed. We could see if the genes start working and what they do to the cells at this early stage. This is how research is done: we might not see what happens, but we can ask questions—and I suggest to the House that these questions are very much worth asking.

Lorely Burt (Solihull) (LD): Does the hon. Gentleman agree with Dr. Peter Hollands, the chief scientific officer of the UK blood bank, who says that cord blood stem cells have

> "just as much potential as embryonic stem cells but without all the related objections and technical concerns"?

Dr. Gibson: No, I do not absolutely agree, because every scientist has their bailiwick; they have their favourite organism, or favourite type of experiment—they might work on just DNA or RNA or proteins, for example. As scientists cannot work on everything, I am unsurprised that different scientists' views reflect what they want to work on, because they will believe that that is the way forward. They are not always right in that, of course, but in this country they have every right to be able to pursue that.

Lembit Öpik: On this point, as has been pointed out, Professor Chris Shaw believes that embryonic stem cells are very important in terms of MND. Does the hon. Gentleman not agree that there must be competition between parallel and different methodologies, as we do not know which ones might lead us to solutions—if we did know, we would already have cured diseases such as MND? Therefore, while there may be a favourite methodology in the end, we do not know which one it is yet. While I accept the ethical points, there needs to be such scientific diversification because we will not get things right first time.

Dr. Gibson: I agree that the methodology of doing science is to have different laboratories in different countries at different times repeat what was initially thought to be the only way forward; we need to find out that other labs can repeat what somebody has claimed in a peer-reviewed journal.

Another area on which we could work with these particular admixtures is that of the effects of hormones and drugs at an early stage—until 14 days and so on—on the expression of certain genes. Some people have done such work. I know that it is under wraps at the minute, because that is how science works now; it is secret in some ways, because commercial interest is involved. Some drugs have been developed using embryos and these effects, and some people think that this will be what they will be used for.

4.45 pm

Geraldine Smith (Morecambe and Lunesdale) (Lab): Surely this is not just about what scientists know; it is about what they do not know. Could it not be that if one uses animal eggs, one is distorting the research, and one might get a different result if one were to use human ones?

Dr. Gibson: I thank my hon. Friend for that. I think that scientists are a craven bunch of conservatives; they do not really take risks, and they do things because they are part of a network of people who support their research by financing it from research councils, and to gain such support they must have a reputation and a track record. That has been very important in this country, not only in winning Nobel prizes but in having that underbelly of great support in our universities and colleges for doing research. That approach has developed because some internal monitoring of one another takes place. Charlatanry is not rampant in the scientific community, as it is in some other areas of public endeavour—*[Interruption.]* That is another story.

Miss Julie Kirkbride (Bromsgrove) (Con) *rose*—

Dr. Gibson: I am going to finish now, because although I could go on for hours on this matter, I am sure that even Sir Alan would not bat at the crease at Essex for as long as this.

What fires me up about this issue is the letters that some of us receive. I know that the following letter is anecdotal and it is only one letter, but we receive lots of these. This person writes that they have

> "a 42 year old daughter who is COMPLETELY disabled with multiple sclerosis. The only...movement my daughter has is to blink for yes and move her head from side to side for no."

A famous movie that is out shows the same thing involving a very autistic Frenchman.

The letter continues:

> "She cannot speak, see very well, eat, except for tiny amounts of food...Her husband is her main carer and she is dependent...on him...She spends 20 hours each day in bed as M.S. is extremely fatiguing...There is no cure at present. The only hope is stem cell research. Please, when you are voting on the...Bill think of my daughter and what this research could do for her and for others like her, please do not deny them a possible cure."

I am inspired by people writing to me out of the blue like that. I receive lots of letters like that, and I would be the last person to prevent our scientific and medical community from trying to develop the kind of cures that help people just like that.

Mr. Cash: It is difficult to follow the hon. Member for Norwich, North (Dr. Gibson), because he presents his case in such a reasonable fashion and he is enormously knowledgeable. I was thinking about the fact that when our debates took place on these issues in 1984 the atmosphere in the House was dramatic; one might say that it was electric. Some hon. Members may recall the events. I believe that on Second Reading or Report one hon. Member broke the Speaker's Chair—or rather the shelf on which the Speaker puts his papers—such were the emotions at that time. Some of that resulted from the fact that a petition signed by 2 million people had been presented. I had proposed the idea of such a petition to the Life conference in August of the year in which I got elected. Perhaps I was a little presumptuous in doing so, but, on the other hand, I feel as strongly now as I did then about the question of boundaries, to which my hon. Friend the Member for Gainsborough (Mr. Leigh) referred.

When listening to the debate and the reasonableness with which hon. Members who are favour of this research put their case, we are perhaps in danger of forgetting something that, as I see it, lies at the very heart of the issue. This is not just a matter of religious belief, which I certainly hold; it is also a question of practicalities. On Second Reading, I put a question to the House and to those in favour of the research, and I have been thinking about it a great deal since: even if this research could be accepted—I could not accept it, because I object to it in principle—and it were to go ahead, for whom would it be made available? Who would benefit from it? The hon. Member for Norwich, North nods, and that is certainly an important question that we have to address. I am afraid that there is a group of people who are avowed eugenicists.

As part of my research for this debate, I looked at a book by Professor David Galton of Barts hospital, a pre-eminent and knowledgeable person in this field. He raises that very question. He also opens Pandora's box intellectually and legislatively by making it clear that, as far as he is concerned, when it comes to regulation:

> "It may ultimately be better to allow individuals to decide for themselves as to whether or not abortion"—

in this instance—

> "is acceptable; it becomes a matter for personal conscience, something to be judged on a case-by-case basis. This may be the way to manage all the newer eugenic techniques."

We want to get this matter out into the open. There is no doubt that there is a group of people who are avowed eugenicists—*[Interruption.]* Well, David Galton himself appears to be one of that group.

When it comes to the commercialisation of the procedures, Professor Galton points out that some 80 per cent. of assisted reproductive procedures are paid for privately. What troubles me is that, given the problems with AIDS, sanitation, lack of water and world mass poverty, there is no realistic prospect that those procedures will be made universally available, even if they were acceptable—

John Bercow (Buckingham) (Con): I do not think that my hon. Friend need worry himself unduly that there is a great eugenicist conspiracy afoot, because there is not a scintilla of evidence for that. I well recall that my hon. Friend raised the question of whether the services that stemmed from the research would be universally or only selectively available. Does he also recall that he was told explicitly by the Minister of State responsible for public health that he was conflating and confusing the permissibility of the research with the arrangements for its commissioning? They are separate issues.

Mr. Cash: They may well be, but I still ask the question, given the vast amounts of money involved. As I said, about 80 per cent. of assisted reproduction procedures are paid for privately. Whatever the objectives of relieving pain and suffering, or improving health, it is almost impossible that the benefits of such research could be made universally available.

There is a strange irony in all this. Professor Galton says:

> "The new eugenic technology"—

as he calls it—

> "may become a vital weapon to prevent a future genetic deterioration of our species."

He refers to the decline of some species as a result of the loss of diversity in the gene pool and points out:

> "Our own genetic decline may take a different form. One hundred years ago some people would never have been able to reproduce. People with early-onset diabetes, premature heart attacks, malignant high blood pressure…may have survived into their reproductive period, but were too unhealthy to have children. Nowadays"—

and herein lies the irony—

> "improvements in medical and surgical treatments allow such people to lead an almost normal reproductive life. Before the discovery and use of insulin"—

as the hon. Member for Norwich, North pointed out—

> "early-onset diabetics had almost no chance of having children of their own."

Professor Galton continues:

> "The consequences of these medical advances are that parents can more freely transmit their disease-related genes to their children. These defective genes would be expected to accumulate from generation to generation in ever increasing numbers."

It is important to reflect on that. He continues:

> "To prevent this we may need in the future to screen embryos for disease-related genes and if possible to repair them at an early stage using the most powerful tools we have. The new eugenic technology may play a prominent role in this."

That is the killer point.

It is a strange irony, and in many ways a tragedy, that however beneficial the advances in medical science might have been, somebody who makes claims for eugenic technology now says that one of the cardinal arguments for this new embryonic research—I leave aside the issue of adult stem-cell research, which is the route that we should go down—is to rectify the difficulties to which those advances have led. That is an extraordinary situation, which creates real dilemmas, but we need to reflect on the fact that life is not perfect. Furthermore, however much we might seek to do so, we cannot, for example, extend our lives indefinitely. At the heart of some of the moral questions that we must struggle with is whether we are not crossing a Rubicon to try to achieve the unachievable. It is not just a question of science or ethics, but of realities, on which all the best morality is ultimately based. We must be extremely cautious. The idea that the research would be available primarily for those who could afford it is very worrying. I noted with considerable concern Professor Galton's comments about that.

I also read a newspaper article—I think that it was in the *Evening Standard* last week. *[Interruption.]* I do not vouch for its veracity; if it was wrong, I stand to be corrected. It suggested that some of the people involved—I might as well mention their names, as they were in the public press—such as Professor Ian Craft and, I think, Dr. Taranissi, were earning phenomenal amounts from such research: between £3 million and £5 million a year. I hope that they were not misrepresented in any way.

Fiona Mactaggart (Slough) (Lab): The people whom the hon. Gentleman quotes provide IVF treatment to infertile women. They are not doing research of the kind discussed under the clause. The amount of money that people are able to make through IVF treatment is a sign of how desperate many women are to have children.

Mr. Cash: I could not agree more that there is a serious problem for those who want to have children, and I would not in any way want to diminish any opportunities that they might have to do so. The bottom line is that when we move into this other kind of research, which is interconnected with the products of IVF research, we need to be extremely wary about exposing ourselves to the serious possibility that huge sums of money could be used without the research being universally available. Whatever objections I might have in principle, there is also a problem with how it is available for the elite compared with how it is available for those who want it for a specific purpose.

5 pm

Mrs. Jacqui Lait (Beckenham) (Con): Can my hon. Friend help me, because I have a slight difficulty with his concept that the expense of the research would mean that few people would be able to benefit from its positive outcomes? He could compare the cost of stem-cell research with that for research in other areas in which some of the basic pharmaceutical companies are already investing, and bear in mind the good taut conservative concept that the price comes down thereafter because the treatment is widely available. Would he perhaps like to draw a parallel with the cost of stem-cell research and its availability to the many hundreds and thousands of people across the world who suffer from these debilitating diseases?

Mr. Cash: I perfectly understand that argument. I am not suggesting that we should stop all research. It is just that as far as I am concerned, while we have alternatives such as adult stem-cell research, which I believe can be further developed, we should not go down the route of embryonic cell research. Ultimately, that crosses the boundaries that I personally regard as unacceptable. I take my hon. Friend's point, but I still worry about the matter a great deal.

On the question of Dolly the sheep and the developments in that field, I went through the Medical Research Council accounts some years ago and I think I am right to say that the Roslin institute, which is headed up by the MRC, sold the patents for Dolly the sheep to a commercial enterprise for £1. I found that pretty astonishing, and it causes me to worry about the commercial aspects of the operation and the research. We need to be conscious that there is a vast amount of commercial investment in this field, and research is not done exclusively for altruistic purposes, although that may play a part in the process. That needs to be put on the record.

Finally, I have already made a point about the Nuremberg principles. It seems quite clear that we ought to have a provision in the Bill, one way or another, that excludes embryonic cell research when adult stem-cell research has been proved viable. If adult stem-cell research becomes viable, it should then be the only kind of research available. It is ultimately about the dignity of man. This is not exclusively a question of religious belief. People with many different religious convictions hold the same views as I do, as do other hon. Members who have signed the amendments.

The figure of 14 days seems to me to be somewhat arbitrary—why not 12, or 16?

Robert Key (Salisbury) (Con): Oh, please!

Mr. Cash: My hon. Friend says, "Oh, please!" as though he thinks that what I am suggesting is completely absurd. Would he be kind enough to intervene if he wishes to do so?

Robert Key: Yes indeed; I am delighted to do so. I am grateful to my hon. Friend, whose argument I find very interesting.

The point about 14 days is a scientific fact; it is the appearance of the primitive streak—the point at which brain cells start to differentiate. Before that there is a completely different scientific situation. That is why the period of 14 days is significant and quite different from 13 or 15 days.

Mr. Cash: My hon. Friend appears quite certain of that. Fourteen days is the figure that is always given, but I have heard from other sources that it could be 12 or 16 days in certain instances. As with so many things, there are variations despite the fact that an arbitrary figure appears to have been chosen. We have a difference of opinion about that.

Earlier today, my hon. Friend the Member for Enfield, Southgate (Mr. Burrowes) was in debate on the "Today" programme with the chairman of the Medical Research Council. The chairman was being pressed; what it boiled down to was that he accepted that there were two possible ways of dealing with the research, but instead of answering the question why one should be chosen rather than the other he simply said that it was important to pursue both and that we should not be constrained as to which we decided to use.

That is the argument to which the MRC is committed, but some of us on the Conservative Benches profoundly disagree. We believe that adult stem-cell research is a viable alternative, although no doubt more work will be needed to pursue that research. However, the same point applies to embryonic stem cell research. It seems to me that until the matter has been resolved there should be a provision in the Bill to ban embryonic research, to guarantee that we do not end up making the wrong choice.

Mr. David Drew (Stroud) (Lab/Co-op): I rise with some trepidation, given the arguments we have heard from eminent scientists and ethicists. I shall speak narrowly to my amendments Nos. 44 and 43, which are designed to probe the Government, although I shall consider the right thing to do if we do not receive clarification.

The issue is simple. Are we to allow human genetic modification or are we looking for other forms of scientific evolution? I feel strongly about the subject of genetic modification, as many people realise. I have not spent the past 11 years in this place opposing genetic modification, in terms of both crop evolution and, more particularly, the evolution of animal species, only to allow human genetic modification to slip in through the back door.

I want the Government to make it clear where they stand and firmly to restore the view we expressed in the 1990 legislation when we said that we were against the genetic modification of human beings. I see no reason for changing that stance. However, every time I read the relevant parts of the public consultation on the Bill—paragraphs 5.33 to 5.38—I am even more confused about the Government's stance. On the one hand, they say:

> "The possibility of being able to 'repair' gametes or embryos raises the concern that it could be difficult to distinguish between what would constitute 'repair' and what might be thought of as "enhancement."

I take "enhancement" to be what I would describe as true genetic modification. On the other hand, the conclusion of the public consultation states:

> "The Government proposes that the prohibition in the HFE Act on genetic modification of embryos for reproductive purposes should continue and be extended to gametes used in treatment. We invite views as to whether the legislation should include a power for Parliament to relax this ban through regulations (rather than primary legislation) if assured of safety and efficacy."

However, the Government also seem rather open-minded about the view of the Select Committee on Science and Technology, which basically said that there should not be an absolute prohibition—"absolute" is the key word—on the genetic modification of embryos in research. It also said that Parliament, through regulations, should be able to relax the existing prohibition on genetic modification as regards embryos and treatment in tightly controlled circumstances, if and when the technology is further advanced.

When the Chairman of Ways and Means was in the Chair, my hon. Friend the Member for Norwich, North (Dr. Gibson) referred to hitting the ball all over the place. To use another cricketing metaphor, it seems that we want to hit the ball every which way, but we are not sure which strokes we are playing, and whether we can be caught out if we play the wrong stroke. I want the Government to be absolutely clear that they are against the genetic modification of human beings. That might be the direction in which research is taking us, but whatever one's views on other aspects of the research,

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and whether or not one is in favour of hybrids and the scientific measures that the hon. Member for Boston and Skegness (Mark Simmonds), the Conservative Front Bencher, explained excellently, I want to know whether the Government will rail at the idea of human genetic modification being made possible at this stage.

Miss Anne Begg (Aberdeen, South) (Lab): One of the main cures that being developed is gene replacement therapy, which is particularly relevant for people with single gene defects. It involves the defective gene being replaced with one that is not defective. Does my hon. Friend think that science should not go down that route? If so, what is the difference between that technique being used once a child is born, and it being used before a child is born?

Mr. Drew: My hon. Friend makes a valuable point, and it is to do with the point about repair as against enhancement. If the Government clarified where they were drawing the line, perhaps I would feel much more confident that I was doing the right thing when I went through the Lobby tonight. As we all know, tonight's vote is a conscience vote. I do not have any expertise on the subject, but I feel a great deal of nervousness when I am given to understand that we are considering modifying human beings, whether at a preliminary stage, as my hon. Friend says, or subsequently. The Government should be very clear about the issue, and should set out in primary legislation what is entailed, and what they feel should be allowed. I should prefer that to what I suspect is happening in the Bill; I suspect that it would ensure that, as science evolves, we may be able to catch up with that evolution through secondary legislation.

Mr. Gordon Prentice (Pendle) (Lab): But say that 7 per cent. of people who develop motor neurone disease have a genetic predisposition to it; does my friend believe that it would be right to screen out the genes that mean that someone will develop that crippling disease later in life?

Mr. Drew: If we had the means to do so, the answer is of course, but I am asking how that is done. I listened carefully to my right hon. Friend the Member for Manchester, Gorton (Sir Gerald Kaufman), because I share many of his misgivings. Hon. Members might agree on the outcomes, but there are serious dilemmas about the means by which we achieve those outcomes. One such issue that I feel strongly about is how we define, and in my case how we oppose, human genetic manipulation or modification.

5.15 pm

Lembit Öpik: Motor neurone disease is an interesting example, because a proportion of people who develop the disease have familial genealogy, but a further proportion of people do not have a genetic history of the disease in their families. Does the hon. Gentleman agree that the people who are researching that point are not the people about whom he is concerned, because they act with the greatest responsibility and want to find medical answers? On that basis, if such research were regulated properly, does he agree that it would be limited to medical solutions for existing human beings? If we limit such research through proper regulation, there will be no problem with the fly-by-night opportunists whom the hon. Gentleman has described.

Mr. Drew: I agree, but, as the hon. Gentleman has said, how can one know that such research will be limited to genuine purposes? I do not want to raise eugenics or the modification of babies, because that would involve extreme language, which would not help the debate.

As has been said, we are going it alone in this country. Many countries have chosen clearly to outlaw human genetic modification in legislation; perhaps their scientists did not have the same head start as scientists in this country, so the issue does not pose such a challenge for them. Nevertheless, I want my right hon. Friend the Minister to make it clear what the Government are allowing. To answer the hon. Member for Montgomeryshire (Lembit Öpik), the Government should say what is illegal and what will remain illegal for the foreseeable future. Until science teaches us otherwise, no scientist should be prepared to contemplate such research.

I do not want to speak at greater length, because my amendments are precise. Sadly, the issue has rarely come up in the wider ethical debate, which is why I make no apology for tabling my amendments. We should debate the point, even if it is considered to be marginal, and we must face up to it when we vote later. I hope that my right hon. Friend the Minister can assuage my fears. At the moment, I am genuinely confused about where the Government are drawing the line, and whether they will contemplate human genetic modification or whether they are prepared to make it clear how they will rule it out.

Dr. Evan Harris: This excellent debate shows the benefit of a free vote on all Benches. There is certainly a free vote among Liberal Democrat Members, who hold diverse views, which will no doubt come to light as the debate continues. Our policy states that we support the use of cloned embryonic stem cells for research and therapeutic purposes, but this is a free vote, and I clearly do not speak for the whole of my party today. I also welcome the provision of sufficient time to debate the issue.

As the right hon. Member for Manchester, Gorton (Sir Gerald Kaufman) said, this is an issue of conscience, but that does not mean that it is a case of science versus ethics. As I stressed on Second Reading, both sides have an ethical viewpoint. We must respect the fact that many people find it impossible to support any of the legislation for moral reasons, while many of us feel duty-bound to support the legislation for moral reasons. My conscience tells me to vote for the measures in the Bill.

The hon. Member for Stroud (Mr. Drew) is the only hon. Member to discuss the specific issues raised by clause 4. My understanding is that the Government are in favour of allowing admixed embryos, which include animal genes in an otherwise human embryo, just as at the moment human genes can be inserted into animal embryos—for example, to produce mouse models, which hugely improve scientists' ability to study human disease. Indeed, whole human chromosomes exist in the Down's mouse, which is a model of Down's syndrome in the rodent.

It is also clear that the Government recognise that it would be wrong if an embryo due to be destroyed after 14 days could not be genetically modified if that was the best way in which the embryo could contribute to medical research. However, the Government and the Bill make it clear that there could be no nuclear genetic modification of any gamete or of a permitted embryo that would be implanted. The only potential, theoretical exception to that is mitochondrial transplantation, which involves changing the mitochondrial DNA to avoid the devastating inheritable consequences of mitochondrial disease. I am sure that that issue will be debated in the Public Bill Committee; it is, however, entirely different from germline genetic modification in respect of nuclear DNA.

Mr. Drew *rose—*

Dr. Harris: I hope that I have reassured the hon. Member for Stroud, and I hope that the Minister will seek to reassure him.

Mr. Drew: Part of my confusion is that even at this late stage the Government have chosen to table a further amendment to clause 4. Perhaps that will help my understanding, but it shows that the legislation is, in a sense, a moveable feast. I hear what the hon. Member for Oxford, West and Abingdon (Dr. Harris) says, but this is primary legislation and it is essential that we get it right. If things are still moving around at this time, that will not be helpful.

Dr. Harris: I hope that I can reassure the hon. Gentleman that I have been watching the Government like a hawk on these measures. Their amendment is relatively innocuous; they have accepted finally a point made at length and effectively by Lord Mackay in the House of Lords.

On Second Reading, the hon. Member for South Cambridgeshire (Mr. Lansley) claimed that the Bill was somehow a radical departure, or at least a departure, from the ethical principles underlying the Human Fertilisation and Embryology Act 1990, particularly in regard to clause 4. I do not think that it represents such a departure. The hon. Gentleman correctly said that the 1990 Act encapsulated the Warnock committee's view that:

> "The embryo of the human species ought to have a special status and no-one should undertake research on human embryos the purpose of which could be achieved by the use of animals or in some other way. The status of the embryo is a matter of fundamental principle which should be enshrined in legislation."

The hon. Gentleman said that the Government were moving away from that, as they were seeking simply to ensure that Britain remained at the forefront of medical research. However, I do not think that that is right; the principles of the 1990 Act apply in this Bill. Embryo research will still be heavily regulated in at least five ways: no embryo research could be carried out without a licence—that would be a criminal offence, so the Bill is certainly no walkover in that respect; no embryo could be kept beyond 14 days; no research embryo could be implanted; researchers would have to show that it was necessary or desirable for medical research purposes to do the embryo research; and, finally and crucially, as has been mentioned by my hon. Friend the Member for Brent, East (Sarah Teather), researchers would have to demonstrate that it was necessary to use embryos and that the same research could not be obtained by techniques that did not use embryos. It is critical to recognise that.

The Bill is not at all a radical departure from the principles of the 1990 Bill. That legislation was very good and the Government of the time should be congratulated, as they were on Second Reading. In the 1990 Act, we see that the hamster test made provision that true hybrid entities should be created, albeit only up to the two-cell stage. No one, however, can argue that there is a huge ethical distinction between the two-cell, eight-cell and 16-cell stages. I am going to explore whether ethical distinctions can be made between different types of admixed embryos, but surely one cannot argue that it is okay for a two-cell entity to be created, but it is not okay for a four-cell entity to be created if the other requirements are met—that it is necessary or desirable for medical research and there is no other way of doing it.

Sarah Teather: My hon. Friend says that none of the research will be possible without a licence, but he will also be aware that the Human Fertilisation and Embryology Authority has turned down only one application for a licence, and that decision was overruled on appeal. It is difficult to say that the process is tightly regulated.

Dr. Harris: I do not think that that is right, and I wanted to return to the point made by my hon. Friend the Member for Southport (Dr. Pugh) in an intervention. The way in which science works is that before someone gets to the HFEA stage, they have to get funding. They must get ethical approval and have a research proposal. That is a huge job. People's jobs depend on being able to get permission, and scientists apply to the HFEA only at an extremely late stage. It would be a scandal if they had public or charity funding and subsequently failed to get that permission. In many cases, there is an iterative process between the authority and scientists, and they do not get approval until the end of a long process. That is what Lord Winston and others, including those at Newcastle, complain about at length. They complain that the process is too burdensome; other hon. Members are now complaining that it is not burdensome enough. If no one is happy, that suggests that the authority has it about right. A walkover it is not.

Mr. Burrowes: Does the hon. Gentleman not accept that when considering keeping all avenues open, there was a proper framework in the 1990 Act that had respect for the human embryo? It did not legalise full hybrids, but via the hamster test it legalised the testing of human sperm. There is a distinction there, under a framework, that is based on some ethical principles.

Dr. Harris: I do not think that that is right. I am not sure whether the hon. Gentleman is saying that a human-animal hybrid embryo is a human embryo. If it is, it is subject to the restrictions in the 1990 Act, so it has the same special status. If he thinks that it is not

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and that it should not have as much status, he should at least be reassured that the measures in the Bill go over the top in giving it the same protection as for a human embryo. I am not suggesting that he is having it both ways; he cannot have it either way, I am afraid.

Dr. Pugh: Does my hon. Friend not accept that the hamster test does not give a rationale for extending the life of hybrids to 14 days? That is something different, and it needs a different ethical justification.

Dr. Harris: Absolutely. As I said, there has to be a scientific justification. We could not justify creating a true hybrid embryo simply because someone else has done that to test sperm, but if there is another reason to do it, no new ethical question has been opened up since the Conservative Government and the House passed the 1990 Act and allowed the hamster test. That matter was heavily debated in both Houses—it was not snuck through. There were debates and Divisions on that matter in 1990, and we should not be going backwards.

Mr. Andy Slaughter (Ealing, Acton and Shepherd's Bush) (Lab): If the hon. Gentleman is right about the 1990 Act and true hybrids, which I think he is, where does he think those on the Conservative Front Bench stand in making the distinction they make? According to the briefing, which was partially quoted before, the preponderance of medical opinion appears to support all four types of admixed embryos.

Dr. Harris: I shall come to that point. I would not say, however, it is just the view of those on the Conservative Front Bench. Hon. Members in all parties have sympathy with the amendment, and I shall deal with it in due course.

I want to stress that we are not the only country that permits such research. Significant numbers of countries do so. Indeed, countries such as the United States have no regulation in the private sector. The fact that we have tight regulation and, yes, burdensome regulation, means that many scientists recognise that this country has deliberated over the issue and that there is a framework. The flipside, I suppose, of the fact that most scientists are successful is that there have been no prosecutions for research on embryos without a licence, and there are plenty of people looking for opportunities to make accusations. To the extent that no prosecutions indicates success, one can say that the process has been successful.

The 1990 Act, together with the 2001 cloning regulations, voted for a free vote in the House, permitted cybrid embryo creation and research. The legal advice that the HFEA got and that the Select Committee on Science and Technology got was that the 1990 Act and the regulations permitted it. Whether it was envisaged in 1990 is a separate matter, but the Government are putting the legal advice and the HFEA policy that is based on it into statute. People who are worried about such matters should be grateful to the Government for placing them on to a statutory footing so that there is clarity and we do not rely on the random—or perhaps not so random—views of a judge or judges in the High Court or the Court of Appeal, and do not get bogged down in judicial review.

5.30 pm

Mr. Cash: Is the hon. Gentleman satisfied about the authority's composition? Does he believe that it reflects the balance of opinion in the public arena?

Dr. Harris: I would prefer not to go into that because I am sure that we will revert to it and not sure whether it is in the remit of our discussion, but it has been debated extensively in the House of Lords.

Let me consider whether embryonic stem-cell therapy has uses. I share the concern about giving false hope. I hope that the record will show that I have never claimed that we are considering the certain prospect of cures and treatments for millions of people with serious diseases. Scientists hope that that will happen, and there is an expectation that we will learn about at least the causes of disease and be able to test treatments in a Petri dish in a cell model, which is difficult to obtain. It is hard to get Parkinson's disease cells from patients because they are in the brain and there are ethical questions about obtaining them. However, if they can be grown from an embryonic stage and drugs can be tested on them, that must offer hope.

Although the letter in *The Times* was signed by several people from all over the world, the group is not authoritative. If one asks authoritative groups of people, who study the matter in scientific committees—the Academy of Medical Sciences, the Royal Society, the Medical Research Council, the Wellcome Trust and the medical research charities, which jealously guard the money that they raise and do not want to waste it on useless treatments—one finds that they all support the research. There is a fundamental flaw in the letter from Professor Scolding and others, which states:

> "We... question the scientific validity of proposals to create such embryonic combinations currently before the UK Parliament."

The UK Parliament is not deciding whether those entities should be created but whether the HFEA should have the ability to approve a licence, if a scientific case is made to show that it is necessary or desirable for medical research, and there is no way to do that that does not involve embryos.

Lembit Öpik: Will my hon. Friend give way?

Dr. Harris: Yes, if it is to do with motor neurone disease.

Lembit Öpik: How did my hon. Friend guess? People do not assume that the cure for degenerative diseases will necessarily be found quickly or, indeed, in time to save current sufferers. However, there is a belief among sufferers and organisations such as the Motor Neurone Disease Association that the research may be the necessary path to finding a cure and that, once we have achieved that for one disease, there will probably be knock-on learning effects for other diseases, enabling us to unlock a great deal of medical knowledge by allowing the pursuit of research. However, people are hard nosed about it—it is not only about hope.

Dr. Harris: Indeed. I agree and pay tribute to my hon. Friend for his advocacy of that cause.

The outrageous allegation has been made that there have been no treatments despite conducting such research for decades. That is simply not the case. Adult stem cells have featured in clinical trials since the 1950s and it would therefore be a shock if we did not have therapies as a result.

The first human embryonic stem-cell lines were derived in the UK by Stephen Minger's group at King's college in 2003. The first ES cells worldwide were created only in 1998. Since it takes 15 years to get a molecule into patients, it is not surprising that it will take some years yet to experience the clinical benefits of the research. Arguing that it has not been done in five years, so it should therefore be thrown out, is preposterous and the worst argument that I have heard from opponents of the research.

Proposals for trials are currently being considered. It is not true that the US Food and Drug Administration has rejected an application for a trial of spinal nerve repair. It has put a clinical hold on the trial while it asks further questions. However, the relevant company is optimistic that it can pursue it. There are also applications for treating macular degeneration using pigmented epithelium cells from an embryonic derivation. We have to be patient—believe me, scientists are as frustrated as parliamentarians, if not more so, and patients are more frustrated yet.

The hon. Member for Enfield, Southgate (Mr. Burrowes) felt that there was an opportunity cost because of all the effort going into embryonic stem-cell research rather than adult stem-cell research, but that is a misunderstanding of how science works. It is very difficult to secure funding for something if there is another way of doing it. Scientists have to put their proposals up for peer review, which is designed to say, "This is the wrong way to do it; do it this way."

Mr. Burrowes: I appreciate that progress can be made only on the basis of peer-reviewed evidence, but is it not also the case that cytoplasmic hybrids are based on one peer-reviewed article from China in 2003? There has been no follow-up and no further evidence on which to base whether that work has any value.

Dr. Harris: It is certainly true that the only blastocysts created from cybrid research have been in China. The hope is that that research will be replicated, because without doing so we cannot show that it works. Saying that we should not be allowed to replicate such research is not a solution to the problem of whether it actually works.

Let me deal with the ethical objections. There are those who object to the measures ethically, because they believe that life begins at conception and therefore they object to all embryo research. Now is not the time to have that debate, but they will vote against all the measures in the Bill, just as they did in 1990, and they have every right to do so. However, some people have picked out hybrid embryos as a separate ethical issue, even though they might not oppose embryo research. However, that is peculiar. Are such people arguing that hybrid embryos are too human and therefore ought to have greater protection than human embryos? I do not understand that, and nor did the Health Committee. If it is ethically acceptable to use up and destroy fully human embryos, with all the potential that they have, as has been done, how can it be right to provide hybrid embryos, which clearly have less potential, in terms of viability, with greater protection? That does not make sense.

I do not understand what the ethical difference is with true hybrids. I asked the hon. Member for Boston and Skegness (Mark Simmonds) what the ethical difference was between a 50 per cent. hybrid and a 99 per cent. human hybrid, but all he said was that it involved sex cells. Sex cells—gametes—are indeed involved, but just because the word "sex" is used does not mean that ethical problems arise in the science, so I still await an answer to the question as to what the ethical objections are.

Stewart Hosie (Dundee, East) (SNP): The hon. Gentleman has spoken about his second category—those who are quite happy with what one might call traditional research, but who are anxious about hybrid research. I think that I fall into that category. The reason is not to do with a philosophical debate on the difference between a hybrid and a wholly human cell; rather, it is to do with a general feeling in society—or perhaps a failure on my part—that we do not have an understanding of the risks involved should something go wrong, a treatment be developed or a hybrid cell in some form be put into a human. There is a general fear in the outside world,but no clear argument from the scientific community about how small those risks are.

Dr. Harris: The hon. Gentleman can be absolutely reassured that there is no prospect of any hybrid embryo being implanted or injected into anyone or anything. That is clear in the law. I also doubt very much whether any stem cells derived from such a hybrid embryo would be the ones going into treatments. It is much more likely that hybrids will be used to perfect the technique, so that we do not use up precious human eggs. Only fully human embryos will be the source of stem cells and stem-cell lines that could be used for treatment. That work is some way off, although we shall deal with the issue in the next group of amendments.

I want to finish on whether there is any prospect of true hybrids being used. It is most unfortunate that leading scientists' views have been traduced in this debate—we had that on Second Reading and we have had it again today. The hon. Member for Boston and Skegness cited Robin Lovell-Badge of the National Institute for Medical Research as saying in his evidence to the Joint Committee:

> "I cannot think of a good experiment to do now".

However, Dr. Lovell-Badge went on to say that

> "but I am sure someone will think of a good experiment."

What he meant was that, because he did not work in that area, he personally could not think of a good experiment to do at the time he was being asked. It was eminently reasonable for him then to come back with answers. That is what we expect Select Committee witnesses to do. That does not mean that he has changed his mind, and it is unfortunate that matters should be characterised in that way.

On Second Reading, the hon. Member for Morecambe and Lunesdale (Geraldine Smith), who is not present, said that scientists

> "said that they are puzzled as to why such experiments should take place."—[*Official Report*, 12 May 2008; Vol. 475, c. 1099.]

[Dr. Evan Harris]

In his letter to the hon. Member for Boston and Skegness, Robin Lovell-Badge said:

> "I have never once said that I am 'puzzled as to why such experiments should take place'."

He went on to make three points that were not fully dealt with by the hon. Member for Boston and Skegness and with which I shall deal briefly. First, the hamster test is available under the 1990 Act. I know that amendment No. 10 does not seek to remove it, although I question why. If one is against true hybrids, one should be against true hybrids. Dr. Lovell-Badge makes the point, in his letter, that mouse eggs are "better characterised" and better for that purpose. They are used abroad for the test, but they cannot be used in the UK because the 1990 Act is restricted to hamster cells. That is silly and does not make sense.

The second point was that if there were progress in research into in vitro derived gametes—they have been called artificial gametes—that would need to be tested. It is true that the Government are not yet looking favourably at the prospect of allowing stem cell derived gametes to be used in the treatment of the thousands of people who have survived cancer and cannot create their own gametes, but that does not mean that they have any intention of banning research into those things. That is permitted, and part of that research is to test whether research is working. It is unfortunate that that has not been recognised.

Finally, Dr. Lovell-Badge made it clear that the cloning technique might require a comparison between cybrids and full eggs—eggs that have not been enucleated—to see whether there is anything nuclear in the egg that helps blastocyst formation. He did not say in his letter that the third issue was simply cybrids; he said that it was comparison with cybrids.

John Bercow: As the hon. Gentleman has said, the prohibition on implantation is explicit and the Bill is unmistakeably clear on that point. Will he take this opportunity to make it clear beyond doubt that it is not the case that the bulk of scientists who support the Bill are glumly resigning themselves to the reality that there will be a regulatory framework? Indeed, far from it; those scientists have been at the forefront of those arguing for a regulatory framework because they want to do the work ethically and on the basis that they can carry the country with them in the process.

Dr. Harris: That is right. The hon. Gentleman puts it very well. The scientific organisations that I have mentioned made it clear in the briefing that they sent yesterday that true hybrids are necessary. In it, they list the sort of research that will be required—for example, into fertility and sperm function, early development and stem-cell research—and they urge us not to pick on true hybrids without having an ethical or scientific basis for doing so. The same advice comes from Mark Walport, the director of the Wellcome Trust, Sir Leszek Borysiewicz, the chief executive of the Medical Research Council, and Professor Martin Bobrow of the Academy of Medical Sciences. They say:

> "By including 'true' hybrids within the Bill, it ensures that their status is clear and fully regulated, and that research using 'true' hybrids will be subject to robust regulatory safeguards."

It is not only scientists who are making such calls. The matter has been considered by two Select Committees. The Select Committee on Science and Technology was unanimous on this issue, despite the rather non-unanimous presence, generally speaking, of the hon. Member for Castle Point (Bob Spink) on the Committee. However, even he endorsed it. The Committee said:

> "We believe that there is a need to allow research using some forms of human-animal chimera or hybrid embryos, including but not exclusively cytoplasmic hybrid embryos, to proceed immediately. We recommend that the Government propose draft legislation which is immediately permissive, through regulation, to those areas of research it deems acceptable."

The Joint Committee on the Bill was even more clear when it said that

> "the Government's approach on this issue is misguided and rests on no sound point of principle. We can see no clear reason why certain categories of inter-species embryo should be permitted under licence and 'true' hybrids proscribed. We recommend that the HFEA should be left to judge which entities may be created, kept and used for research purposes under licence."

That was a Joint Committee of both Houses, and experts were involved. I pay tribute to the people on that Committee who did not agree with the broad thrust, but recognised consistency when they saw it. There is no ethical basis or practical reason for distinctions, and I urge the House to support the passage of clause 4 without any changes.

5.45 pm

The Minister of State, Department of Health (Dawn Primarolo): A great deal of this subject has already been covered in the debate, but I want to respond briefly to a number of the points that have been raised and to refer to the Government amendments. First, it is important to put it on record that a lack of human eggs is creating a significant barrier to the continuation of embryonic stem-cell research. Researchers have looked for a pragmatic solution to the shortage, and they believe that they have found one in the form of animal eggs and in the creation of human admixed embryos.

The Bill sets out a clear definition of human admixed embryos and will ensure that all such embryos are regulated and may not be created without a licence. The Government amendments reaffirm the purpose of the scientific definition in the Bill. Any licence application to create human admixed embryos for research will need to prove to the HFEA that the proposed use of the embryo is necessary—not simply that the scientists want to try it—and that no other route of research would enable the development of the science to understand the development of the treatment.

Mr. Cash: Who will decide what is necessary?

Dawn Primarolo: The statutory purposes are clearly laid out in the Bill, building on the provisions in the 1990 Act. I do not remember whether the hon. Gentleman was in the House in 1990. I was, and I remember that the matter was fully debated at that time, and that many of these purposes were considered.

No human admixed embryo that has been created may be implanted into a woman or an animal, or be cultured for more than 14 days or after the appearance of the primitive streak. Equally, any research done using human embryos must satisfy the HFEA that it is necessary or desirable for one of the statutory purposes. This research is about giving scientists the ability, within clear boundaries—which have been discussed in the House before, particularly in 1990—within which to advance technologies that could help in the development of treatments for devastating degenerative conditions, in continuing research into male infertility and in learning more about what makes embryonic stem cells so different from any other cell.

The use of animal eggs will provide a valuable resource to embryo research scientists, giving them the ability to perfect the techniques that could one day help to develop our understanding of diseases and to speed up the development of their cures. My right hon. Friend the Member for Manchester, Gorton (Sir Gerald Kaufman) made a very eloquent speech earlier. I make no apology to the Committee for saying that we cannot promise that this research will definitely lead to those treatments; it is an aspiration that it could do so, if it is permitted, along with the rest of the research that is being carried out.

Amendments Nos. 1, 2, 41 and 42 would prohibit the creation of all forms of human admixed embryos for any purpose, including cytoplasmic hybrid embryos. A major barrier to continuing embryonic stem-cell research is the lack of human eggs for use in research, as they can be obtained only through the stimulation of a woman's ovaries. That procedure is not without risk, and the best eggs are quite rightly used in treatment. Researchers have been looking for a solution to the shortage, and they believe that they have found one in the form of animal eggs, which are widely available and believed to be as useful in the creation of embryos as human eggs. If successful, they could advance embryonic stem-cell research by many years.

The hon. Member for Boston and Skegness (Mark Simmonds), in speaking to amendments Nos. 10 and 11, sought to prohibit embryos created from the mixing of human and animal gametes—the so-called true hybrids. I must admit that I was not clear about the ethical principle that the hon. Gentleman was drawing on. In fairness to him, however, let me say that that was also reflected in the way the Government proceeded in their consideration of the matter. The hon. Gentleman asked for an explanation.

The Government took into account the arguments of the joint pre-legislative scrutiny Committee—a Committee of this House and the other place—which saw no clear reason to preclude such activity within the regulatory controls of the Human Fertility and Embryology Authority. Any project to create true hybrids would need to satisfy the research licensing criteria that the work is necessary or desirable for a statutory research purpose and that the use of the embryos is necessary. The hon. Member for Harrogate and Knaresborough (Mr. Willis), who chaired the Joint Committee, said on Second Reading that

> "once we mix in any elements of animal, the principle of using hybrids for research purposes is established...That is the point that the Committee was trying to make; once we go down that road"—

which we already have—

> "it seems illogical to rule something out because of a particular mix."—[*Official Report*, 12 May 2008; Vol. 475, c. 1068.]

The Government agreed with that conclusion.

The Academy of Medical Sciences, the Royal Society, the Wellcome Trust and the Medical Research Council have written to say that true hybrids offer significant potential for research to improve our understanding of infertility, sperm function and stem-cell development—and must not be prohibited. Given that the hon. Member for Boston and Skegness could not set out a clear reason for this particular deletion, I urge the House to resist his amendment.

Mr. Edward Vaizey (Wantage) (Con): For the benefit of those of us who are close to supporting what is in the Bill, will the right hon. Lady help us on one specific point? Given that she has acknowledged that the Government were persuaded by the pre-legislative scrutiny Committee, what were the Government's concerns about true hybrids before its report was published? Clearly, the Government had drawn a distinction before that report persuaded them otherwise.

Dawn Primarolo: I was not the appropriate Minister at the time, but I shall attempt to summarise the position. I think that we were concerned about some of the issues raised by the hon. Member for Boston and Skegness. In searching around to put the argument clearly on an ethical basis that drew the lines in logic and science, the Government had to admit—I hope that the hon. Gentleman will do the same tonight—that we were simply wrong in our original decision. There was no such line to be drawn.

Robert Key: I would like to help the right hon. Lady, as I was a member of the Joint Committee. The real problem was that the scientists could not fathom the definitions laid down by the Department in the draft Bill; they successfully challenged them as being completely unworkable. A number of distinguished scientists, including Lord Winston, said that they simply did not understand what the Government were trying to say.

Dawn Primarolo: I am eternally grateful that the whole Government and Ministers in the Department of Health were able, through this process, to listen, learn and come to the correct decision. I sincerely hope that the Committee will do the same this evening and reject the amendment. Clearly, the public consultation, the drafting of the Bill, pre-scrutiny by a Committee of both Houses and then a full debate in the other place have demonstrated that the decision is now in the right place.

Mark Simmonds: Does the Minister accept that there is a difference between an embryonic cell that is a 50:50 hybrid and one that is 99 per cent. human?

Dawn Primarolo: What I am saying is that we are trying to be clear about what should be regulated and when it falls within the remit of the HFEA. I defy the hon. Gentleman to tell me the principle whereby we could define his proposition in law.

Amendment No. 3 would prohibit the hamster test that was clearly allowed under the 1990 Act.

Mark Simmonds: Will the Minister give way?

Dawn Primarolo: No, I will not. Other Members want to speak and I am trying to make some progress. I have been absolutely candid with the House on this matter.

The usefulness of the hamster test was mentioned in the evidence given to the Committee in 2007, which cited the value of using hamster eggs over and above other assessments of male fertility. In recent correspondence to the Department, Professor Lynn Fraser made a clear argument for the continuation of this work, citing the use of hamster eggs as the best option for testing treatments designed to increase the ability of human sperm to fertilise an egg. Such research is valuable in trying to find ways to overcome male infertility. Prohibiting its use and the use of this technique seems completely unjustified, especially as this prohibition would be a step backwards from the position enshrined in the 1990 Act.

My hon. Friend the Member for Stroud (Mr. Drew) tabled amendment No. 44, which deals with embryos. The Bill allows for the alteration of the genetic structure of embryos for research purposes only. It prohibits the transfer of such embryos to a woman. That is underpinned by an international consensus that prohibits such practice and the Bill also reinforces the point.

Government amendments Nos. 33 to 39 amend the definition of human admixed embryos. The Bill uses the term "human admixed embryo" as an umbrella term for four types of embryo containing human and animal genetic material ranging from those that are—in simple terms, as the hon. Member for Boston and Skegness says—99 per cent. genetically human through to those that are 50 per cent. genetically human. The amendments are a response to the debate in the other place, where clarification of the definitions was sought. The Government amendments add a catch-all category to the definition of human admixed embryos in the Bill, providing further clarity of the scope of the term. In addition to the four precise scientific definitions already in the Bill, that will ensure that all new forms of embryos that may be developed that contain both human and animal DNA will, where the animal DNA does not predominate, fall within the regulation.

The Bill and these provisions are about ensuring that the wishes of this House for this area of research, as set down in 1990, are respected so that regulation can be carried out by the HFEA. The Government amendments improve the Bill, but I sincerely hope that hon. Members will reject all the other amendments and support both the Government and this clause.

Mr. Burrowes: I begin by making a point that I would have liked to raise by intervening on the Minister earlier. It concerns Government amendment No. 34. The problem of definition has been an issue for this House and the other place. Some have sought to define what is human, what is animal and then what is a human admixed embryo. In other provisions, the Government have sought to do that by way of illustrative examples. When dealing with legislation that needs to be applied by regulations—no doubt it will be challenged in due course by lawyers and others—it is important that the House at least leave the Bill in a state of clarity and with clear definitions so that we know what we are dealing with, although that is extremely complex. The Joint Committee, on which I sat, challenged the Government's previous position. It is still an issue of concern. In the other place, Lord Mackay of Clashfern introduced an amendment to provide some clarity of definition about what is human, what is animal and what is a mixture of the two.

6 pm

Government amendment No. 34 attempts to provide clarity on the issue of defining what might be subject to regulation. The question, though, for the Minister, which perhaps highlights the problems that we have over definition is, where Government amendment No. 34 would capture that embryo which is created by what is called tetraploid complementation. Those embryos are normally created by adding embryonic stem cells to an animal embryo that has been altered to have double the number of chromosomes—that is, it is a tetraploid. The embryonic stem cells form the foetus while the tetraploid embryo forms the placenta.

In the Joint Committee, I questioned Professor Lovell-Badge, who replied:

> "You may start off with an embryo which is 20 per cent. human and end up with something which is 60 per cent. human or vice versa."

The reality is that this science is a moveable feast—moving towards human and animal. That causes profound concern, not least in the area of tetraploid complementation, which at present might be subject to Home Office regulations in animal legislation, rather than regulation under such a Bill. I invite the Minister to respond on that point and say whether consideration might be given to dealing with that area of research—not leaving it to regulation, but ensuring that it is dealt with by primary means.

Moving to the general positions in the Bill, I support the amendment tabled by my hon. Friend the Member for Gainsborough (Mr. Leigh). Concerns have been expressed and we often hear the refrain, "All avenues must be kept open." However, when one looks through the Bill, one sees that all avenues are not left open. The Government would wish us to close off various avenues in various arenas. Today, tomorrow and during consideration by the Public Bill Committee, there will be debate on certain avenues that have been cut off, not least those concerning sex selection.

The House is charged with the duty of building an ethical framework that can properly lead to good science, but my position and that of hon. Friends and hon. Members who have spoken is based on good science but also good ethics. The framework must be built that is sound, lasts for a considerable time and deals with future developments, but is based solidly on ethics and a firm belief in and respect for human life and the dignity of human life, which the House needs to send out and establish clearly in the Bill.

There is perhaps no greater duty on the House than ensuring that we are clear about that. It cannot be left to chance. It cannot be left to whim. It cannot be left to saying to scientists, "Let's give it a chance and see how far it goes." It is important that we ensure that we properly respect those principles of human life, certainly when we are dealing with human admixed embryos, and it is incumbent on us to achieve a Bill that has not only clarity of definition, but clarity of ethics.

The Government would wish us to be a world leader in this area of stem-cell research. We can all extol the virtues of stem-cell research and regenerative medicine. Indeed, last week in Paris there was a conference to promote responsible regenerative medicine. We could all sign up to that and to cures that come as a result of it. The context of the conference was cord blood stem-cell research. We have already heard from hon. Friends and hon. Members about the developments in relation to cord blood source, which have led and are leading us beyond the normal route of blood immune deficiency to the regeneration of nerves, bone, cartilage, tendon, vessel tissue and beyond. That is an exciting area, but sadly this country is lagging way behind in the league table for collecting cord blood. I understand that we are 13th, and we should do much more in those areas.

It is important that we consider the context of stem-cell research, although we should not concentrate on just that. We should consider the clinical trials throughout the world. There are 1,987 in relation to adult stem-cell research and 106 on cord blood. There are none on embryonic stem-cell research. That is a significant context, but it should not necessarily be given undue weight when one is considering the context of the Bill.

The human admixed embryo provisions seek to take us to a new level of the human embryo stem-cell project. We perhaps need to throw some water on the high expectations for embryo stem-cell research. We should take note and be cautious in relation to the fact that embryo stem-cell lines do not work in mature tissues. That is the problem that many scientists are seeking to fix. Embryo stem-cell lines develop tissues. There are fundamental engineering problems. Once embryo stem-cell lines are differentiated, the concern is that what is involved will stop being a stem cell and lose its "stemness". It has difficulty turning into a tissue type.

The concern, though, is that we do not simply deal with the problems of embryo stem-cell research; the issue is human hybrid embryos and whether there are alternatives. In the development of embryo stem-cell research, one has to focus on cloned human embryos. Those are particularly difficult to create. They are very inefficient and defective. There is difficulty that leads to abnormality. When one looks at the research, one sees that there are problems. The problems develop when dealing with the structure of cloned human animal embryos.

The concern goes beyond risk of infection, immune logical reactions and the tumours that develop. The development of cloned human animal embryos represents taking another leap. That is the focus of the Bill, which will establish that we must move into the area of cytoplasmic hybrids. Taking the scientist's view, one struggles to see how one could get to the point of curing diseases, which is what we all want.

The Government put it forward—one has to take them at their word—that cytoplasmic hybrids are essential for groundbreaking research and that they will produce those medical cures for genetic neurodegenerative diseases, but if one goes back a stage to cloned human embryos the reality is that they cannot properly be used for therapies for genetic diseases. The genetic flaw would remain in the tissue, as the genes would come from a person with a disease.

If one took a leap towards cloned animal human embryos it would be even worse, as they would contain the genetic flaws and the additional genetic and epigenetic flaws because of the way they are created. The human genome would have been reprogrammed with reprogramming factors from the animal egg, and there would be a degree of mismatch between relevant human and animal material. There would also be the risk of the creation of new diseases. As I mentioned earlier, there may be the risk of immune rejection, as mitochondria have proteins that can cause an immune reaction. Some animal mitochondrial proteins would be present in the cells, and they might cause an even stronger immune reaction than human mitochondria.

Looking back, the concern is that embryonic stem cells have caused dangerous tumours. That led to the withholding of the US Food and Drug Administration licence for clinical trials of embryonic stem cells to go ahead. But it is far too dangerous medically to attempt to use embryo stem-cell lines for therapies. Looking to take that a stage further in terms of human animal cloned embryos, it would be even less safe to use them for therapies.

In the other place, noble Lords said that cloned human animal embryos would be used for transplant. That certainly is not the case, and I was grateful that Dr. Stephen Minger, speaking to the Associate Parliamentary Health Group on 23 April, made it clear that they could not be used for transplant.

The Government say that we need cybrids because they will help to inform people about genetic diseases when used with specific cell lines from patients with such diseases. However, we need to consider ethical alternatives. Much has been said about the investigation of motor neurone disease. The hon. Member for Montgomeryshire (Lembit Öpik) has said that we need to find the avenue for progress, but what is that avenue?

The Government seek to be a world leader. Since they presented the Bill there has been rapid progress in other areas of alternative stem-cell research, not least in the area of induced pluripotent cells. On Second Reading we heard mention of Professor Wilmut, creator of Dolly the sheep. He had planned to create disease-specific cell lines using so-called cybrids to investigate motor neurone disease, but abandoned that approach very publicly a few months ago, stating that reprogrammed adult cells—induced pluripotent stem cells—showed much more potential. That was another avenue for research. He intends to make motor-neurone-disease-specific cell lines using IPS cells.

Lembit Öpik: There is room for both, surely. Professor Chris Shaw is not guaranteeing that this is the right way forward, but says that it would be unwise to abandon it. I recognise that there are ethical considerations for many Members, but does the hon. Gentleman not accept that, from a scientific perspective, it makes sense to pursue parallel paths in the knowledge that one of them might provide the solution to motor neurone disease? That would save 1,600 lives a year in the United Kingdom alone.

Mr. Burrowes: I hear what the hon. Gentleman says, but I believe we should support the research that has already taken those steps and clearly has great potential, rather than supporting an area of research that is not only very speculative but ethically challenging. When exploring all avenues, we must respect ethical considerations. Members on both sides of the House have expressed real anxiety about the fact that the clauses dealing with human admixed embryos transcend people's concerns about proper respect for the dignity of human life. It is not a case of all avenues being equal. If we take the scientist's view of where the therapeutic value is and where research is advancing by leaps and bounds, we find ourselves considering induced pluripotent cells. When the Government and scientists make the case for cytoplasmic hybrids, we need only look to that developing field to see that it is the way forward.

Lynne Jones (Birmingham, Selly Oak) (Lab): Does the hon. Gentleman support the measures in the 1990 Act?

Mr. Burrowes: I do not think we should go over old ground and return to debates about whether or not we support embryonic research. If I had been a Member of Parliament at the time I would have voted against it, but we are not rehearsing that debate. The hon. Member for Oxford, West and Abingdon (Dr. Harris) might want us to resort to such a debate, but the Government want to take us one stage further. They want to take us into areas that other countries do not even consider. They are basing their judgment on research that I believe is flawed and constitutes a false dawn.

John Bercow: My hon. Friend has made it very clear that he doubts the efficacy of admixed embryo research. What is less clear is why he wants to set himself up as a monopolist, excluding lines of inquiry that others think it prudent and sensible to pursue. Why does he think that the admixed embryo—given that there will be licence conditions, and given the 14-day destruction rule—should have greater legal protection than the human embryo? So far, that point remains blindingly unclear.

Mr. Burrowes: As my hon. Friend will appreciate, as a Conservative I am certainly not in favour of monopolies. I prefer to follow the Conservative principle of payment by results. In this country more than 80 therapeutic treatments have been made possible by adult stem-cell research, and there have been more than 350 clinical trials. We should concentrate on and invest in efficacy and the development of valuable research in this country and overseas, rather than allowing ourselves to be distracted from the results that are being produced.

6.15 pm

John Bercow: Will my hon. Friend give way again?

Mr. Burrowes: No. I want to continue my speech.

There is concern about important principles such as the dignity of human life. The Government recently tabled an amendment to try to establish a definition of what we are dealing with in the mixing of human and animal entities. There is a lack of clarity and certainty, and for me that is a fundamental ethical concern that takes us beyond the realm of results.

John Bercow: Will my hon. Friend give way?

Mr. Burrowes: No.

John Bercow: Just once more?

Mr. Burrowes: All right.

John Bercow: I am extremely grateful to my hon. Friend, whose natural sense of fair play gets the better of him. Does he not agree that if he is to award marks in an exam, it is a good idea for him to be clear about the fact that both competitors are sitting the same exam? Did he not hear the hon. Member for Oxford, West and Abingdon (Dr. Harris) say that this is a case of comparing something that has been possible for only five years with something that has been possible for half a century? That is an absurd comparison. My hon. Friend really ought to give the opportunity for admixed embryo research a decent span before rushing into judgment against it.

Mr. Burrowes: I disagree. In fact, I think it unfair to look at adult stem-cell research since the 1950s. In recent years progress has been made by leaps and bounds, not least—as I said earlier—in induced pluripotent stem-cell research. Considerable progress has been made even since the publication of the Bill. We should be very cautious about adopting a route that is ethically problematic. Sir Liam Donaldson himself, the chief scientific adviser, made it clear to the Joint Committee that there was a deficit in medical ethics. We ourselves are charged with the duty of ensuring that there is a proper ethical framework, and we should be extremely cautious about taking this route unless its therapeutic value is clear. Why should we not invest properly in areas that are producing the results that we all want?

Mr. Slaughter: The hon. Gentleman may be aware of the comments of the Parkinson's Disease Society, which has said:

> "Although there have been some very promising developments in research using adult stem cells in some disease areas, this avenue has not yet proved fruitful for many conditions including Parkinson's."

While the hon. Gentleman may wish that there were an alternative to the use of admixed embryos in every case, does he not realise that he is closing off the opportunity to cure many serious diseases such as Parkinson's?

Mr. Burrowes: I do not accept that. Indeed, I am keen for us to open up opportunities for stem-cell research, which is why I am such a supporter of cord blood research. An increasing number of tissue types are producing therapeutic value for those suffering from the degenerative diseases that we all want to cure. However, there is no real evidence that embryonic stem-cell research, particularly involving admixed embryos, is likely in the foreseeable future to produce the treatments that the hon. Gentleman wants.

I think that the Committee should focus primarily on the ethical alternatives to human admixed embryos. Treatments using cord blood stem cells, which were originally used to treat blood diseases, are providing the potential to differentiate into tissue types such as neurons and hepatic cells. Professor Bobrow, a proponent of admixed embryo research, has said:

> "We are also not aware of any pressing scientific reasons at the moment for creating such entities, but who knows what tomorrow might bring?"

It is incumbent on the Committee to make a decision today on the real value of therapeutic treatments, and to make another decision tomorrow. I do not believe that we should keep all the options open tomorrow if they transcend concern about the dignity of human life. We certainly should not do that. We should respect the dignity of human life by prohibiting human admixed embryos.

I urge the House to support the amendment in the name of my hon. Friend the Member for Gainsborough.

Mr. Gordon Marsden (Blackpool, South) (Lab): Like many—perhaps most—Members, I come to the debate having read as much as possible of the various Committee reports but also as a layman, although I should add that I worked with medical and pharmaceutical companies a number of years ago and during that time I was given an invaluable crash course in the twists and turns of how clinical trials are conducted and in the fact that no one in the scientific and medical communities has the tablets from Sinai any more than does anyone else. I also come to the debate without holding an absolutist view on the position of the embryo—I freely declare that as a Christian and a member of the Church of England—and in that I suspect I reflect to an extent the views held within the Church of England; the hon. Member for Salisbury (Robert Key) spoke about this on Second Reading, and the Archbishops Council advice given to us reflects it. As Members know, I am a historian, and although this debate is not an occasion for great historical references, it is worth remembering that for a great chunk of the middle ages many Catholic theologians took a very different view of the role of the embryo from that which they do today.

In the end, however, all such considerations take us only so far. When one strips away the different theologies and medical special pleadings, it is clear that we as Members of this House have to perform a very difficult balancing act. We have to listen closely to the views of all our constituents; my postbag has been weighted in one direction, but its contents have certainly not come from only one direction. We also have to take into account our own personal and family experiences; as has been said, many of us have experiences of friends and family who have suffered the most appalling degenerative diseases, and in my family that has included Alzheimer's.

We have to use our judgment. It is not our job in this House to canonise scientists, any more than it is our job to canonise cardinals. I have a concern—I exempt from this comment those learned Members who have spoken this afternoon with great expertise on this area—that we sometimes think that scientists are immune from the pressures we all face, and that they are therefore different from the rest of us. That is not true: as in other areas, there are no tablets from Sinai in science.

That being the case, it is very important that this House sends a clear structural view as to where we want to draw the guidelines. I agree with those Members who said on Second Reading that it would have been preferable if this Bill had come before the House on the basis of there being a permanent and standing bioethics committee from which we could have had an ongoing view. We are not in that situation, however. Instead, we are faced with having to make a decision on the basis of what has been put forward thus far.

I believe that it is important that we give a clearer guideline to the HFEA on the law of the land under which it must operate. It worries me that, for example, the licences that were issued in respect of Liverpool and Newcastle were then subject to press coverage about wonder cures and so on. That is not helpful in the debate on this issue. I listened carefully to the comments of the hon. Member for Oxford, West and Abingdon (Dr. Harris) and the Minister on the difference between admixed and hybrid embryos. I find it difficult to accept that one should be as absolutist as they were about the difference between 99 per cent. and 50 per cent. Coming from the perspective of not having an absolute moral view on embryology but of having some deep-seated concerns, I believe that the further we go along the spectrum, the further such concerns will be raised, and the further the precautionary principle should be applied.

Jo Swinson (East Dunbartonshire) (LD) *rose—*

Mark Durkan (Foyle) (SDLP) *rose—*

Mr. Marsden: I am sorry, but I cannot give way, as that would not be fair to other Members who wish to speak.

We already know that, sadly, clinical hybrid animal trials conducted at cell stage do not always produce the results in humans that the trials show—they do not even produce these results in different groups of human beings. Therefore, it is unreasonable to hold the view that hybrid research will automatically open up matters in the way that has been suggested. The points made about the progress there has been with adult stem cells need to be given much greater prominence. An important point was also made about how treatments in this entire area have been revolutionised in the past 10 years. That makes it all the more important that we send out a message to the HFEA. Concerns have been expressed about its membership and its perspective, and they should be looked at on another occasion.

At the heart of this issue is the need to make a very difficult choice. I do not believe that we can make it for ever and a day, which is why I would like there to be a bioethics committee. *[Interruption.]* Some may groan. I would like this House to have the ability to come back on a future occasion and discuss these matters again. If we are not to have that, I believe—reluctantly, as I strongly understand the views of those groups who believe that it would be fruitful to go further down this route—that we should opt for the precautionary principle at this stage. That is why I shall support the amendment.

Sir Patrick Cormack (South Staffordshire) (Con): The hon. Member for Blackpool, South (Mr. Marsden) said he did not want to canonise. I want neither to canonise nor to demonise. I fully respect the views of

[Sir Patrick Cormack]

those fellow Christians who believe there is nothing morally wrong in moving down the line of having mixed embryos and so on, but I am afraid that I take a different line—an absolutist line. I think there are cases where one has to face up to the fundamental question of whether the ends justify the means. While we have all received letters, such as that read out by the hon. Member for Norwich, North (Dr. Gibson), from people suffering from grievous diseases and we all wish to see cures, we must also accept the mortality of man. We have to accept that there are certain things that man should not seek to do. The mixture of embryos—the creation of something that is part animal and part human—is a line beyond which I am not prepared to go. Therefore, I do not support the modest amendments proposed by my Front-Bench colleagues, and I do support the amendment moved by my hon. Friend the Member for Gainsborough (Mr. Leigh). I hope very much that the House will agree to it, although I fear it will not. I shall therefore console myself with the immortal words of Willie Whitelaw: that things are never either as good or as bad as they seem. The step we are contemplating taking is a very serious one. Great as is my respect for my hon. Friend the Member for Salisbury (Robert Key) and others, I believe that the cardinals have it, and it is in accordance with that that I shall vote tonight.

Fiona Mactaggart: I will not rehearse the scientific arguments; I am not a scientist. I have heard some powerful arguments from people who are, however, and it seems to me that this area of research holds out serious hopes of tackling diseases, if not in the short term then in the longer term.

I want to speak tonight because I am infertile and I have multiple sclerosis. I received treatment for my infertility, but it was not possible to cure me. However, the two embryos that were left over were able to be used for research. Following the legislation in 2001, those sorts of embryos have been able to be used for research into things other than fertility—the only thing for which they could originally be used—for example, research into diseases such as my multiple sclerosis.

6.30 pm

We are talking about making more embryos available for research through the use of hybrids. I know through my experience just how painful hyperstimulation of one's ovaries is, but we have not heard about that issue in this debate. Why are we examining the creation of hybrids? We are doing so because there are insufficient embryos for research, and I shall tell hon. Members one of the reasons why that is. Had there been any chance of my having a child as a result of the embryos that I made, I would have used them for that purpose, and I believe that the same is true for any woman who has been through that kind of treatment.

Asking women to go through the process of hyperstimulation of their ovaries to make eggs for other people's research is frankly a step too far, yet we know that it is possible, through embryonic research, to create a model of some of these terrible diseases in a dish. That is what this Bill offers; it does not offer hybrid, would-be people; it offers the possibility of creating cell lines that contain these terrible, debilitating diseases. In the case of motor neurone disease, the disease leads to certain death. As far as I can tell from looking at the King's college work, there is no real option of creating neurons from adult stem cells, so we must grasp this chance.

In 1975, people said no to recombinant DNA technology because, "It is playing God. You are mixing up different genes. That is not the proper thing to do." The scientific community said that it would say yes, and in the 33 years since, treatments for haemophilia and diabetes, as well as many biopharmaceutical drugs, have been developed. That has taken 33 years, but it has made a real difference on these chronic illnesses. We have an opportunity tonight to make a real difference, perhaps not in the short term, but in the future, on chronic diseases, particularly on these devastating neurological diseases. It would be a great pity if the House did not grasp that opportunity.

Mr. Leigh: It is a pleasure briefly to sum up an excellent and serious debate, in which, for once, we have been able to lay aside party politics. I thank everybody who has taken part, although not everybody has supported my point of view. I particularly thank the right hon. Member for Manchester, Gorton (Sir Gerald Kaufman), who talked at the beginning of this debate about the heart of this issue: the ethics. He was followed briefly by the hon. Member for Blackpool, South (Mr. Marsden). We all share great sympathy for the hon. Member for Slough (Fiona Mactaggart), but hundreds of clinical trials have taken place and, as my hon. Friend the Member for Enfield, Southgate (Mr. Burrowes) mentioned, they were all on adult stem cells; not one was on embryo stem cells. The proposal is a step too far. We believe that it crosses an ethical line in mixing animal and human embryos. We believe the evidence. As Lord Winston has said, there is no evidence to suggest that a magic cure is available round the corner, which is why we shall press this amendment to a vote.

It being three hours after the commencement of proceedings on clause 4, The Chairman *put forthwith the Question already proposed from the Chair, pursuant to Order [12 May].*

The Committee divided: Ayes 176, Noes 336.

Division No. 191] [6.34 pm

AYES

Ainsworth, Mr. Peter
Amess, Mr. David
Ancram, rh Mr. Michael
Bacon, Mr. Richard
Baker, Norman
Barrett, John
Battle, rh John
Bell, Sir Stuart
Benton, Mr. Joe
Benyon, Mr. Richard
Binley, Mr. Brian
Bone, Mr. Peter
Borrow, Mr. David S.
Brady, Mr. Graham
Brazier, Mr. Julian
Breed, Mr. Colin
Brokenshire, James
Browne, rh Des
Burns, Mr. Simon
Burrowes, Mr. David
Burt, Alistair
Byers, rh Mr. Stephen
Cable, Dr. Vincent
Campbell, Mr. Gregory
Campbell, Mr. Ronnie
Carmichael, Mr. Alistair
Cash, Mr. William
Challen, Colin
Chapman, Ben
Chope, Mr. Christopher
Clarke, rh Mr. Tom
Conway, Derek
Cooper, Rosie
Cormack, Sir Patrick
Cox, Mr. Geoffrey
Crausby, Mr. David
Creagh, Mary
Cruddas, Jon

Cummings, John
Cunningham, Mr. Jim
Cunningham, Tony
Davis, rh David *(Haltemprice and Howden)*
Dodds, Mr. Nigel
Dorries, Mrs. Nadine
Drew, Mr. David
Duddridge, James
Duncan Smith, rh Mr. Iain
Durkan, Mark
Evennett, Mr. David
Fallon, Mr. Michael
Farron, Tim
Field, rh Mr. Frank
Field, Mr. Mark
Foster, Michael Jabez *(Hastings and Rye)*
Fox, Dr. Liam
Francois, Mr. Mark
Garnier, Mr. Edward
Gibb, Mr. Nick
Goggins, Paul
Goodman, Mr. Paul
Gove, Michael
Grayling, Chris
Green, Damian
Grieve, Mr. Dominic
Grogan, Mr. John
Gummer, rh Mr. John
Gwynne, Andrew
Hague, rh Mr. William
Hammond, Stephen
Hanson, rh Mr. David
Harper, Mr. Mark
Hayes, Mr. John
Heald, Mr. Oliver
Hemming, John
Hendrick, Mr. Mark
Hermon, Lady
Hillier, Meg
Hoban, Mr. Mark
Hoey, Kate
Hollobone, Mr. Philip
Holloway, Mr. Adam
Hosie, Stewart
Howarth, Mr. Gerald
Hoyle, Mr. Lindsay
Hunter, Mark
Hurd, Mr. Nick
Jackson, Mr. Stewart
Jones, Mr. David
Jones, Helen
Kaufman, rh Sir Gerald
Kelly, rh Ruth
Khan, Mr. Sadiq
Kilfoyle, Mr. Peter
Knight, rh Mr. Greg
Laing, Mrs. Eleanor
Leigh, Mr. Edward
Letwin, rh Mr. Oliver
Liddell-Grainger, Mr. Ian
Lidington, Mr. David
Luff, Peter
Mackinlay, Andrew
Maclean, rh David
MacNeil, Mr. Angus
Main, Anne
Malins, Mr. Humfrey
Marsden, Mr. Gordon
Maude, rh Mr. Francis
May, rh Mrs. Theresa
McAvoy, rh Mr. Thomas
McCrea, Dr. William
McDonnell, Dr. Alasdair
McFall, rh John
McGrady, Mr. Eddie
McGuire, Mrs. Anne
McLoughlin, rh Mr. Patrick
Meale, Mr. Alan
Milton, Anne
Mudie, Mr. George
Mulholland, Greg
Murphy, Mr. Denis
Murphy, Mr. Jim
Murphy, rh Mr. Paul
O'Brien, Mr. Mike
Owen, Albert
Paisley, rh Rev. Ian
Paterson, Mr. Owen
Pelling, Mr. Andrew
Pickles, Mr. Eric
Pope, Mr. Greg
Pound, Stephen
Prentice, Bridget
Pritchard, Mark
Pugh, Dr. John
Randall, Mr. John
Redwood, rh Mr. John
Reed, Mr. Andy
Reid, rh John
Robertson, Hugh
Robertson, Mr. Laurence
Robinson, Mrs. Iris
Rooney, Mr. Terry
Rowen, Paul
Roy, Mr. Frank
Ruane, Chris
Sarwar, Mr. Mohammad
Scott, Mr. Lee
Selous, Andrew
Shepherd, Mr. Richard
Simpson, Alan
Simpson, David
Singh, Mr. Marsha
Smith, Geraldine
Spelman, Mrs. Caroline
Spring, Mr. Richard
Stewart, Ian
Streeter, Mr. Gary
Stuart, Ms Gisela
Swayne, Mr. Desmond
Syms, Mr. Robert
Taylor, Ms Dari
Taylor, David
Teather, Sarah
Thurso, John
Touhig, rh Mr. Don
Trickett, Jon
Turner, Mr. Andrew
Twigg, Derek
Vaz, rh Keith
Walker, Mr. Charles
Wareing, Mr. Robert N.
Waterson, Mr. Nigel
Watkinson, Angela
Webb, Steve
Weir, Mr. Mike
Widdecombe, rh Miss Ann
Younger-Ross, Richard

Tellers for the Ayes:
Daniel Kawczynski and
Mr. Nigel Evans

NOES

Abbott, Ms Diane
Ainsworth, rh Mr. Bob
Alexander, Danny
Alexander, rh Mr. Douglas
Allen, Mr. Graham
Anderson, Mr. David
Armstrong, rh Hilary
Atkinson, Mr. Peter
Austin, Mr. Ian
Austin, John
Bailey, Mr. Adrian
Baldry, Tony
Balls, rh Ed
Banks, Gordon
Barlow, Ms Celia
Baron, Mr. John
Barron, rh Mr. Kevin
Bayley, Hugh
Beckett, rh Margaret
Begg, Miss Anne
Bellingham, Mr. Henry
Bercow, John
Beresford, Sir Paul
Berry, Roger
Betts, Mr. Clive
Blackman, Liz
Blears, rh Hazel
Blunkett, rh Mr. David
Blunt, Mr. Crispin
Boswell, Mr. Tim
Bottomley, Peter
Bradshaw, Mr. Ben
Brake, Tom
Brooke, Annette
Brown, rh Mr. Gordon
Brown, Lyn
Brown, rh Mr. Nicholas
Brown, Mr. Russell
Browne, Mr. Jeremy
Browning, Angela
Bruce, rh Malcolm
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burnham, rh Andy
Burstow, Mr. Paul
Burt, Lorely
Byrne, Mr. Liam
Caborn, rh Mr. Richard
Cameron, rh Mr. David
Campbell, Mr. Alan
Campbell, rh Sir Menzies
Carswell, Mr. Douglas
Cawsey, Mr. Ian
Chaytor, Mr. David
Clapham, Mr. Michael
Clappison, Mr. James
Clark, Greg
Clark, Ms Katy
Clark, Paul
Clarke, rh Mr. Charles
Clegg, rh Mr. Nick
Clelland, Mr. David
Clifton-Brown, Mr. Geoffrey
Coffey, Ann
Cohen, Harry
Cooper, rh Yvette
Cousins, Jim
Curry, rh Mr. David
Darling, rh Mr. Alistair
Davey, Mr. Edward
David, Mr. Wayne
Davidson, Mr. Ian
Davies, Mr. Quentin
Dean, Mrs. Janet
Denham, rh Mr. John
Devine, Mr. Jim
Dhanda, Mr. Parmjit
Dismore, Mr. Andrew
Djanogly, Mr. Jonathan
Dobson, rh Frank
Donohoe, Mr. Brian H.
Doran, Mr. Frank
Dowd, Jim
Dunne, Mr. Philip
Eagle, Angela
Eagle, Maria
Efford, Clive
Ellman, Mrs. Louise
Engel, Natascha
Ennis, Jeff
Featherstone, Lynne
Fisher, Mark
Fitzpatrick, Jim
Flint, rh Caroline
Flynn, Paul
Follett, Barbara
Foster, Mr. Don
Foster, Mr. Michael *(Worcester)*
Francis, Dr. Hywel
Gapes, Mike
Gauke, Mr. David
George, Andrew
Gerrard, Mr. Neil
Gibson, Dr. Ian
Gidley, Sandra
Gillan, Mrs. Cheryl
Gilroy, Linda
Godsiff, Mr. Roger
Goldsworthy, Julia
Goodman, Helen
Gray, Mr. James
Greening, Justine
Griffith, Nia
Hain, rh Mr. Peter
Hall, Mr. Mike
Hall, Patrick
Hamilton, Mr. Fabian
Hancock, Mr. Mike
Harman, rh Ms Harriet
Harris, Dr. Evan
Harris, Mr. Tom
Harvey, Nick
Havard, Mr. Dai
Heathcoat-Amory, rh Mr. David
Hendry, Charles
Hepburn, Mr. Stephen
Herbert, Nick
Hewitt, rh Ms Patricia
Heyes, David
Hill, rh Keith
Hodgson, Mrs. Sharon
Holmes, Paul
Hoon, rh Mr. Geoffrey
Hope, Phil
Hopkins, Kelvin
Horam, Mr. John
Horwood, Martin
Howard, rh Mr. Michael
Howarth, David

Howarth, rh Mr. George
Howells, Dr. Kim
Hughes, rh Beverley
Huhne, Chris
Humble, Mrs. Joan
Hunt, Mr. Jeremy
Hutton, rh Mr. John
Iddon, Dr. Brian
Illsley, Mr. Eric
Ingram, rh Mr. Adam
Irranca-Davies, Huw
Jackson, Glenda
Jackson, Mr. Stewart
James, Mrs. Siân C.
Jenkin, Mr. Bernard
Johnson, rh Alan
Johnson, Mr. Boris
Johnson, Ms Diana R.
Jones, Lynne
Jones, Mr. Martyn
Jowell, rh Tessa
Keeble, Ms Sally
Keeley, Barbara
Keen, Ann
Keetch, Mr. Paul
Kemp, Mr. Fraser
Kennedy, rh Jane
Key, Robert
Kidney, Mr. David
Kirkbride, Miss Julie
Knight, Jim
Kramer, Susan
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lait, Mrs. Jacqui
Lamb, Norman
Lammy, Mr. David
Lansley, Mr. Andrew
Laws, Mr. David
Lazarowicz, Mark
Leech, Mr. John
Lepper, David
Levitt, Tom
Lewis, Mr. Ivan
Lewis, Dr. Julian
Linton, Martin
Lloyd, Tony
Llwyd, Mr. Elfyn
Love, Mr. Andrew
Lucas, Ian
Mackay, rh Mr. Andrew
Mactaggart, Fiona
Malik, Mr. Shahid
Mallaber, Judy
Mann, John
Maples, Mr. John
Marris, Rob
Marshall, Mr. Eric
Mates, rh Mr. Michael
McCafferty, Chris
McCarthy, Kerry
McCarthy-Fry, Sarah
McDonnell, John
McFadden, Mr. Pat
McIntosh, Miss Anne
McIsaac, Shona
McKechin, Ann
McNulty, rh Mr. Tony
Meacher, rh Mr. Michael
Merron, Gillian
Milburn, rh Mr. Alan
Miliband, rh Edward
Miller, Andrew
Miller, Mrs. Maria
Milton, Anne
Moffatt, Laura
Mole, Chris
Moon, Mrs. Madeleine
Moran, Margaret
Morden, Jessica
Morgan, Julie
Mountford, Kali
Mullin, Mr. Chris
Munn, Meg
Murrison, Dr. Andrew
Naysmith, Dr. Doug
Norris, Dan
O'Hara, Mr. Edward
Oaten, Mr. Mark
Olner, Mr. Bill
Öpik, Lembit
Osborne, Mr. George
Osborne, Sandra
Ottaway, Richard
Paice, Mr. James
Palmer, Dr. Nick
Pearson, Ian
Penning, Mike
Penrose, John
Plaskitt, Mr. James
Prentice, Mr. Gordon
Prescott, rh Mr. John
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Mr. Ken
Purnell, rh James
Rammell, Bill
Raynsford, rh Mr. Nick
Reed, Mr. Jamie
Reid, Mr. Alan
Rifkind, rh Sir Malcolm
Riordan, Mrs. Linda
Robertson, Angus
Robertson, John
Robinson, Mr. Geoffrey
Rogerson, Dan
Ruddock, Joan
Russell, Bob
Salter, Martin
Shapps, Grant
Shaw, Jonathan
Sheerman, Mr. Barry
Sheridan, Jim
Short, rh Clare
Simmonds, Mark
Simpson, Mr. Keith
Skinner, Mr. Dennis
Slaughter, Mr. Andy
Smith, rh Mr. Andrew
Smith, Ms Angela C. *(Sheffield, Hillsborough)*
Smith, Angela E. *(Basildon)*
Smith, rh Jacqui
Smith, Sir Robert
Snelgrove, Anne
Soames, Mr. Nicholas
Soulsby, Sir Peter
Southworth, Helen
Spellar, rh Mr. John
Spicer, Sir Michael
Stanley, rh Sir John
Starkey, Dr. Phyllis
Steen, Mr. Anthony
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Straw, rh Mr. Jack
Stringer, Graham
Stuart, Mr. Graham
Stunell, Andrew
Swinson, Jo
Swire, Mr. Hugo
Tami, Mark
Taylor, Matthew
Taylor, Dr. Richard
Thomas, Mr. Gareth
Thornberry, Emily
Timms, rh Mr. Stephen
Tipping, Paddy
Todd, Mr. Mark
Tredinnick, David
Turner, Dr. Desmond
Tyrie, Mr. Andrew
Ussher, Kitty
Vaizey, Mr. Edward
Vara, Mr. Shailesh
Viggers, Peter
Villiers, Mrs. Theresa
Vis, Dr. Rudi
Walley, Joan
Waltho, Lynda
Ward, Claire
Whitehead, Dr. Alan
Wicks, Malcolm
Wiggin, Bill
Williams, rh Mr. Alan
Williams, Mrs. Betty
Williams, Hywel
Williams, Mark
Williams, Mr. Roger
Williams, Stephen
Willott, Jenny
Wills, Mr. Michael
Wilson, Phil
Wilson, Mr. Rob
Winnick, Mr. David
Winterton, rh Ms Rosie
Wishart, Pete
Wood, Mike
Woolas, Mr. Phil
Wright, Mr. Anthony
Wright, David
Wright, Mr. Iain
Wright, Jeremy
Wright, Dr. Tony
Wyatt, Derek
Young, rh Sir George

Tellers for the Noes:
Mr. Bob Blizzard and Alison Seabeck

Question accordingly negatived.

It being more than three hours after the commencement of proceedings on the Bill, THE CHAIRMAN *put forthwith the Questions necessary for the disposal of the business to be concluded at that hour, pursuant to Order [12 May].*

Amendment made: No. 33, in page 4, line 14, at end insert—

'(4A) A licence cannot authorise keeping or using a human admixed embryo in any circumstances in which regulations prohibit its keeping or use.'—*[Mr. David.]*

Amendment proposed: No. 10, in page 4, line 14, at end insert—

'(4A) A licence cannot authorise the creation of an embryo using—

(a) human gametes and animal gametes, or

(b) one human pronucleus and one animal pronucleus.'—*[Mark Simmonds.]*

Question put, That the amendment be made:—

The Committee divided: Ayes 223, Noes 286.

Division No. 192] **[6.47 pm**

AYES

Ainsworth, Mr. Peter
Amess, Mr. David
Ancram, rh Mr. Michael
Bacon, Mr. Richard
Baker, Norman
Baldry, Tony
Baron, Mr. John
Barrett, John
Battle, rh John
Bell, Sir Stuart
Bellingham, Mr. Henry
Benton, Mr. Joe
Benyon, Mr. Richard
Binley, Mr. Brian
Bone, Mr. Peter
Borrow, Mr. David S.
Boswell, Mr. Tim
Brady, Mr. Graham
Brazier, Mr. Julian
Breed, Mr. Colin
Brokenshire, James
Brooke, Annette
Browne, rh Des
Burns, Mr. Simon
Burrowes, Mr. David
Burt, Alistair
Burt, Lorely
Byers, rh Mr. Stephen
Cable, Dr. Vincent
Campbell, Mr. Gregory
Campbell, Mr. Ronnie
Carmichael, Mr. Alistair
Cash, Mr. William
Chapman, Ben

Chope, Mr. Christopher
Clark, Greg
Clarke, rh Mr. Tom
Clifton-Brown, Mr. Geoffrey
Conway, Derek
Cooper, Rosie
Cormack, Sir Patrick
Cox, Mr. Geoffrey
Crausby, Mr. David
Creagh, Mary
Cruddas, Jon
Cummings, John
Cunningham, Mr. Jim
Cunningham, Tony
Davis, rh David *(Haltemprice and Howden)*
Dodds, Mr. Nigel
Dorries, Mrs. Nadine
Drew, Mr. David
Duddridge, James
Duncan Smith, rh Mr. Iain
Durkan, Mark
Evans, Mr. Nigel
Evennett, Mr. David
Fallon, Mr. Michael
Farron, Tim
Field, rh Mr. Frank
Field, Mr. Mark
Foster, Michael Jabez *(Hastings and Rye)*
Fox, Dr. Liam
Francois, Mr. Mark
Garnier, Mr. Edward
Gibb, Mr. Nick
Gidley, Sandra
Gillan, Mrs. Cheryl
Goggins, Paul
Goodman, Mr. Paul
Gove, Michael
Grayling, Chris
Green, Damian
Grieve, Mr. Dominic
Grogan, Mr. John
Gummer, rh Mr. John
Gwynne, Andrew
Hague, rh Mr. William
Hammond, Mr. Philip
Hammond, Stephen
Hancock, Mr. Mike
Hanson, rh Mr. David
Harper, Mr. Mark
Hayes, Mr. John
Heald, Mr. Oliver
Heathcoat-Amory, rh Mr. David
Hemming, John
Hendry, Charles
Herbert, Nick
Hermon, Lady
Hillier, Meg
Hoban, Mr. Mark
Hoey, Kate
Hollobone, Mr. Philip
Holloway, Mr. Adam
Horam, Mr. John
Hosie, Stewart
Howard, rh Mr. Michael
Howarth, Mr. Gerald
Hoyle, Mr. Lindsay
Hunt, Mr. Jeremy
Hunter, Mark
Hurd, Mr. Nick
Irranca-Davies, Huw
Jackson, Mr. Stewart
Jones, Mr. David
Jones, Helen
Kaufman, rh Sir Gerald
Kawczynski, Daniel
Kelly, rh Ruth
Khan, Mr. Sadiq
Kidney, Mr. David
Kilfoyle, Mr. Peter
Knight, rh Mr. Greg
Laing, Mrs. Eleanor
Lansley, Mr. Andrew
Leigh, Mr. Edward
Liddell-Grainger, Mr. Ian
Lidington, Mr. David
Loughton, Tim
Luff, Peter
Mackinlay, Andrew
Maclean, rh David
MacNeil, Mr. Angus
Main, Anne
Malins, Mr. Humfrey
Marsden, Mr. Gordon
Maude, rh Mr. Francis
McAvoy, rh Mr. Thomas
McCrea, Dr. William
McDonnell, Dr. Alasdair
McFall, rh John
McGrady, Mr. Eddie
McGuire, Mrs. Anne
McLoughlin, rh Mr. Patrick
Meale, Mr. Alan
Miller, Mrs. Maria
Milton, Anne
Mudie, Mr. George
Mulholland, Greg
Murphy, Mr. Denis
Murphy, Mr. Jim
Murphy, rh Mr. Paul
Murrison, Dr. Andrew
O'Brien, Mr. Mike
O'Brien, Mr. Stephen
Ottaway, Richard
Owen, Albert
Paice, Mr. James
Paisley, rh Rev. Ian
Paterson, Mr. Owen
Pelling, Mr. Andrew
Penning, Mike
Pickles, Mr. Eric
Pope, Mr. Greg
Pound, Stephen
Prentice, Bridget
Prisk, Mr. Mark
Pugh, Dr. John
Randall, Mr. John
Redwood, rh Mr. John
Reed, Mr. Andy
Reid, Mr. Alan
Reid, rh John
Rifkind, rh Sir Malcolm
Robertson, Hugh
Robertson, Mr. Laurence
Robinson, Mrs. Iris
Rogerson, Dan
Rooney, Mr. Terry
Rowen, Paul
Roy, Mr. Frank
Ruane, Chris
Russell, Bob
Sarwar, Mr. Mohammad
Scott, Mr. Lee
Selous, Andrew
Shepherd, Mr. Richard
Simmonds, Mark
Simpson, Alan
Simpson, David
Singh, Mr. Marsha
Smith, Geraldine
Soames, Mr. Nicholas
Spelman, Mrs. Caroline
Spicer, Sir Michael
Spring, Mr. Richard
Stanley, rh Sir John
Steen, Mr. Anthony
Stewart, Ian
Streeter, Mr. Gary
Stuart, Ms Gisela
Stuart, Mr. Graham
Stunell, Andrew
Swayne, Mr. Desmond
Swinson, Jo
Swire, Mr. Hugo
Syms, Mr. Robert
Taylor, Ms Dari
Taylor, David
Teather, Sarah
Thurso, John
Touhig, rh Mr. Don
Trickett, Jon
Turner, Mr. Andrew
Twigg, Derek
Vaizey, Mr. Edward
Vara, Mr. Shailesh
Vaz, rh Keith
Viggers, Peter
Walker, Mr. Charles
Wallace, Mr. Ben
Wareing, Mr. Robert N.
Waterson, Mr. Nigel
Watkinson, Angela
Webb, Steve
Weir, Mr. Mike
Williams, Mark
Williams, Mr. Roger
Wilson, Mr. Rob
Wood, Mike
Wright, Jeremy
Younger-Ross, Richard

Tellers for the Ayes:
Mark Pritchard and
Miss Ann Widdecombe

NOES

Abbott, Ms Diane
Ainsworth, rh Mr. Bob
Alexander, Danny
Alexander, rh Mr. Douglas
Allen, Mr. Graham
Anderson, Mr. David
Armstrong, rh Hilary
Atkinson, Mr. Peter
Austin, Mr. Ian
Austin, John
Bailey, Mr. Adrian
Balls, rh Ed
Banks, Gordon
Barlow, Ms Celia
Barron, rh Mr. Kevin
Bayley, Hugh
Beckett, rh Margaret
Begg, Miss Anne
Bercow, John
Beresford, Sir Paul
Berry, Roger
Betts, Mr. Clive
Blackman, Liz
Blears, rh Hazel
Blunkett, rh Mr. David
Blunt, Mr. Crispin
Bradshaw, Mr. Ben
Brake, Tom
Brennan, Kevin
Brown, rh Mr. Gordon
Brown, Lyn
Brown, rh Mr. Nicholas
Brown, Mr. Russell
Browne, Mr. Jeremy
Bruce, rh Malcolm
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burnham, rh Andy
Burstow, Mr. Paul
Butler, Ms Dawn
Byrne, Mr. Liam
Caborn, rh Mr. Richard
Campbell, Mr. Alan
Campbell, rh Sir Menzies
Carswell, Mr. Douglas
Cawsey, Mr. Ian
Chaytor, Mr. David
Clapham, Mr. Michael
Clappison, Mr. James
Clark, Ms Katy
Clark, Paul
Clarke, rh Mr. Charles
Clegg, rh Mr. Nick
Clelland, Mr. David
Coffey, Ann
Cohen, Harry
Cooper, rh Yvette
Corbyn, Jeremy
Cousins, Jim
Cryer, Mrs. Ann
Curry, rh Mr. David
Darling, rh Mr. Alistair
Davey, Mr. Edward
David, Mr. Wayne
Davidson, Mr. Ian
Davies, Mr. Quentin
Dean, Mrs. Janet
Denham, rh Mr. John
Devine, Mr. Jim
Dhanda, Mr. Parmjit
Dismore, Mr. Andrew
Djanogly, Mr. Jonathan
Dobson, rh Frank
Donohoe, Mr. Brian H.
Doran, Mr. Frank
Dorrell, rh Mr. Stephen
Dowd, Jim
Dunne, Mr. Philip
Eagle, Angela
Eagle, Maria
Efford, Clive
Ellman, Mrs. Louise
Engel, Natascha
Ennis, Jeff
Featherstone, Lynne

Fisher, Mark
Fitzpatrick, Jim
Flint, rh Caroline
Flynn, Paul
Follett, Barbara
Foster, Mr. Don
Foster, Mr. Michael *(Worcester)*
Francis, Dr. Hywel
Gapes, Mike
Gauke, Mr. David
George, Andrew
Gerrard, Mr. Neil
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Mr. Roger
Goldsworthy, Julia
Goodman, Helen
Gray, Mr. James
Greening, Justine
Griffith, Nia
Hain, rh Mr. Peter
Hall, Mr. Mike
Hall, Patrick
Hamilton, Mr. Fabian
Harman, rh Ms Harriet
Harris, Dr. Evan
Harris, Mr. Tom
Harvey, Nick
Havard, Mr. Dai
Hepburn, Mr. Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, rh Keith
Hodgson, Mrs. Sharon
Holmes, Paul
Hoon, rh Mr. Geoffrey
Hope, Phil
Hopkins, Kelvin
Horwood, Martin
Howarth, David
Howarth, rh Mr. George
Howells, Dr. Kim
Hughes, rh Beverley
Huhne, Chris
Humble, Mrs. Joan
Hutton, rh Mr. John
Iddon, Dr. Brian
Illsley, Mr. Eric
Ingram, rh Mr. Adam
Jackson, Glenda
James, Mrs. Siân C.
Jenkin, Mr. Bernard
Johnson, rh Alan
Johnson, Ms Diana R.
Jones, Lynne
Jones, Mr. Martyn
Jowell, rh Tessa
Keeble, Ms Sally
Keeley, Barbara
Keen, Ann
Keetch, Mr. Paul
Kemp, Mr. Fraser
Kennedy, rh Jane
Key, Robert
Kirkbride, Miss Julie
Knight, Jim
Kramer, Susan
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lait, Mrs. Jacqui
Lamb, Norman
Lammy, Mr. David
Laws, Mr. David
Lazarowicz, Mark
Leech, Mr. John
Lepper, David
Levitt, Tom
Lewis, Mr. Ivan
Lewis, Dr. Julian
Linton, Martin
Lloyd, Tony
Llwyd, Mr. Elfyn
Love, Mr. Andrew
Lucas, Ian
Mackay, rh Mr. Andrew
Mactaggart, Fiona
Malik, Mr. Shahid
Mallaber, Judy
Mann, John
Marris, Rob
Martlew, Mr. Eric
Mates, rh Mr. Michael
McCafferty, Chris
McCarthy, Kerry
McCarthy-Fry, Sarah
McDonnell, John
McFadden, Mr. Pat
McIntosh, Miss Anne
McIsaac, Shona
McKechin, Ann
McNulty, rh Mr. Tony
Meacher, rh Mr. Michael
Merron, Gillian
Milburn, rh Mr. Alan
Miliband, rh Edward
Miller, Andrew
Moffatt, Laura
Mole, Chris
Moon, Mrs. Madeleine
Moran, Margaret
Morden, Jessica
Morgan, Julie
Mountford, Kali
Mullin, Mr. Chris
Munn, Meg
Naysmith, Dr. Doug
Norris, Dan
O'Hara, Mr. Edward
Oaten, Mr. Mark
Olner, Mr. Bill
Öpik, Lembit
Osborne, Mr. George
Osborne, Sandra
Palmer, Dr. Nick
Pearson, Ian
Penrose, John
Plaskitt, Mr. James
Prentice, Mr. Gordon
Prescott, rh Mr. John
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Mr. Ken
Purnell, rh James
Rammell, Bill
Raynsford, rh Mr. Nick
Reed, Mr. Jamie
Riordan, Mrs. Linda
Robertson, Angus
Robertson, John
Robinson, Mr. Geoffrey
Ruddock, Joan
Salter, Martin
Shapps, Grant
Shaw, Jonathan
Sheerman, Mr. Barry
Sheridan, Jim
Short, rh Clare
Simpson, Mr. Keith
Skinner, Mr. Dennis
Slaughter, Mr. Andy
Smith, rh Mr. Andrew
Smith, Ms Angela C. *(Sheffield, Hillsborough)*
Smith, Angela E. *(Basildon)*
Smith, rh Jacqui
Smith, Sir Robert
Snelgrove, Anne
Soulsby, Sir Peter
Southworth, Helen
Spellar, rh Mr. John
Starkey, Dr. Phyllis
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Straw, rh Mr. Jack
Stringer, Graham
Tami, Mark
Taylor, Matthew
Taylor, Dr. Richard
Thomas, Mr. Gareth
Thornberry, Emily
Timms, rh Mr. Stephen
Tipping, Paddy
Todd, Mr. Mark
Turner, Dr. Desmond
Tyrie, Mr. Andrew
Ussher, Kitty
Villiers, Mrs. Theresa
Vis, Dr. Rudi
Walley, Joan
Waltho, Lynda
Ward, Claire
Whitehead, Dr. Alan
Wicks, Malcolm
Wiggin, Bill
Williams, rh Mr. Alan
Williams, Mrs. Betty
Williams, Hywel
Williams, Stephen
Willott, Jenny
Wills, Mr. Michael
Wilson, Phil
Winnick, Mr. David
Winterton, rh Ms Rosie
Wishart, Pete
Woolas, Mr. Phil
Wright, Mr. Anthony
Wright, David
Wright, Mr. Iain
Wright, Dr. Tony
Wyatt, Derek
Young, rh Sir George

Tellers for the Noes:
Alison Seabeck and
Mr. Bob Blizzard

Question accordingly negatived.

Amendment proposed: No. 44, in page 4, leave out lines 25 to 27.—*[Mr. Drew.]*

Question put, That the amendment be made:—

The Committee divided: Ayes 181, Noes 314.

Division No. 193] [7.2 pm

AYES

Ainsworth, Mr. Peter
Amess, Mr. David
Ancram, rh Mr. Michael
Bacon, Mr. Richard
Baker, Norman
Barrett, John
Battle, rh John
Bell, Sir Stuart
Benton, Mr. Joe
Benyon, Mr. Richard
Bone, Mr. Peter
Borrow, Mr. David S.
Brady, Mr. Graham
Brazier, Mr. Julian
Breed, Mr. Colin
Brokenshire, James
Brooke, Annette
Browne, rh Des
Burns, Mr. Simon
Burrowes, Mr. David
Burt, Alistair
Byers, rh Mr. Stephen
Cable, Dr. Vincent
Campbell, Mr. Gregory
Campbell, Mr. Ronnie
Carmichael, Mr. Alistair
Cash, Mr. William
Chapman, Ben
Chope, Mr. Christopher
Clarke, rh Mr. Tom
Conway, Derek
Cooper, Rosie
Cormack, Sir Patrick
Cox, Mr. Geoffrey
Crausby, Mr. David
Creagh, Mary
Cummings, John
Cunningham, Mr. Jim
Cunningham, Tony
Davis, rh David *(Haltemprice and Howden)*
Dodds, Mr. Nigel
Dorries, Mrs. Nadine
Drew, Mr. David
Duddridge, James
Duncan Smith, rh Mr. Iain
Durkan, Mark
Evans, Mr. Nigel
Evennett, Mr. David
Fallon, Mr. Michael
Farron, Tim
Field, rh Mr. Frank
Field, Mr. Mark
Foster, Michael Jabez *(Hastings and Rye)*
Fox, Dr. Liam
Francois, Mr. Mark
Gibb, Mr. Nick

Goggins, Paul
Goodman, Mr. Paul
Gove, Michael
Grayling, Chris
Green, Damian
Grieve, Mr. Dominic
Grogan, Mr. John
Gummer, rh Mr. John
Gwynne, Andrew
Hague, rh Mr. William
Hammond, Stephen
Hancock, Mr. Mike
Harper, Mr. Mark
Hayes, Mr. John
Hemming, John
Hendrick, Mr. Mark
Hendry, Charles
Herbert, Nick
Hermon, Lady
Hillier, Meg
Hoban, Mr. Mark
Hoey, Kate
Hollobone, Mr. Philip
Holloway, Mr. Adam
Hosie, Stewart
Howarth, Mr. Gerald
Hoyle, Mr. Lindsay
Hunter, Mark
Hurd, Mr. Nick
Irranca-Davies, Huw
Jackson, Mr. Stewart
Jones, Mr. David
Jones, Helen
Kaufman, rh Sir Gerald
Kawczynski, Daniel
Kelly, rh Ruth
Khan, Mr. Sadiq
Kilfoyle, Mr. Peter
Knight, rh Mr. Greg
Laing, Mrs. Eleanor
Leigh, Mr. Edward
Liddell-Grainger, Mr. Ian
Lidington, Mr. David
Loughton, Tim
Luff, Peter
Mackinlay, Andrew
Maclean, rh David
MacNeil, Mr. Angus
Main, Anne
Malins, Mr. Humfrey
Marsden, Mr. Gordon
Maude, rh Mr. Francis
May, rh Mrs. Theresa
McAvoy, rh Mr. Thomas
McCrea, Dr. William
McDonnell, Dr. Alasdair
McFall, rh John
McGrady, Mr. Eddie
McGuire, Mrs. Anne
McLoughlin, rh Mr. Patrick
Meacher, rh Mr. Michael
Meale, Mr. Alan
Milton, Anne
Mudie, Mr. George
Mulholland, Greg
Murphy, Mr. Denis
Murphy, Mr. Jim
Murphy, rh Mr. Paul
O'Brien, Mr. Mike
O'Brien, Mr. Stephen
Owen, Albert
Paisley, rh Rev. Ian
Paterson, Mr. Owen
Pelling, Mr. Andrew
Pickles, Mr. Eric
Pope, Mr. Greg
Pound, Stephen
Prentice, Bridget
Pritchard, Mark
Pugh, Dr. John
Randall, Mr. John
Redwood, rh Mr. John
Reed, Mr. Andy
Reid, rh John
Robertson, Mr. Laurence
Robinson, Mrs. Iris
Rogerson, Dan
Rowen, Paul
Roy, Mr. Frank
Ruane, Chris
Sarwar, Mr. Mohammad
Scott, Mr. Lee
Selous, Andrew
Shepherd, Mr. Richard
Simpson, Alan
Simpson, David
Singh, Mr. Marsha
Smith, Geraldine
Spring, Mr. Richard
Steen, Mr. Anthony
Stewart, Ian
Stunell, Andrew
Swayne, Mr. Desmond
Syms, Mr. Robert
Taylor, Ms Dari
Taylor, David
Teather, Sarah
Thurso, John
Touhig, rh Mr. Don
Trickett, Jon
Turner, Mr. Andrew
Twigg, Derek
Vara, Mr. Shailesh
Vaz, rh Keith
Walker, Mr. Charles
Wallace, Mr. Ben
Wareing, Mr. Robert N.
Waterson, Mr. Nigel
Watkinson, Angela
Webb, Steve
Weir, Mr. Mike
Widdecombe, rh Miss Ann
Williams, Mark
Wilson, Mr. Rob
Younger-Ross, Richard

Tellers for the Ayes:
Mr. Gary Streeter and
Mr. Brian Binley

NOES

Abbott, Ms Diane
Ainsworth, rh Mr. Bob
Alexander, Danny
Alexander, rh Mr. Douglas
Allen, Mr. Graham
Anderson, Mr. David
Arbuthnot, rh Mr. James
Armstrong, rh Hilary
Atkinson, Mr. Peter
Austin, Mr. Ian
Austin, John
Bailey, Mr. Adrian
Baldry, Tony
Balls, rh Ed
Banks, Gordon
Barlow, Ms Celia
Barron, rh Mr. Kevin
Bayley, Hugh
Beckett, rh Margaret
Begg, Miss Anne
Bellingham, Mr. Henry
Bercow, John
Beresford, Sir Paul
Berry, Roger
Betts, Mr. Clive
Blackman, Liz
Blears, rh Hazel
Blunkett, rh Mr. David
Blunt, Mr. Crispin
Boswell, Mr. Tim
Bradshaw, Mr. Ben
Brake, Tom
Brennan, Kevin
Brown, rh Mr. Gordon
Brown, Lyn
Brown, rh Mr. Nicholas
Brown, Mr. Russell
Browne, Mr. Jeremy
Browning, Angela
Bruce, rh Malcolm
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burnham, rh Andy
Burstow, Mr. Paul
Burt, Lorely
Butler, Ms Dawn
Byrne, Mr. Liam
Caborn, rh Mr. Richard
Campbell, Mr. Alan
Campbell, rh Sir Menzies
Carswell, Mr. Douglas
Cawsey, Mr. Ian
Chaytor, Mr. David
Clapham, Mr. Michael
Clappison, Mr. James
Clark, Greg
Clark, Ms Katy
Clark, Paul
Clarke, rh Mr. Charles
Clegg, rh Mr. Nick
Clelland, Mr. David
Clifton-Brown, Mr. Geoffrey
Coffey, Ann
Cohen, Harry
Cooper, rh Yvette
Corbyn, Jeremy
Cousins, Jim
Cryer, Mrs. Ann
Curry, rh Mr. David
Darling, rh Mr. Alistair
Davey, Mr. Edward
David, Mr. Wayne
Davidson, Mr. Ian
Davies, Mr. Quentin
Dean, Mrs. Janet
Denham, rh Mr. John
Devine, Mr. Jim
Dhanda, Mr. Parmjit
Dismore, Mr. Andrew
Djanogly, Mr. Jonathan
Dobson, rh Frank
Donohoe, Mr. Brian H.
Doran, Mr. Frank
Dorrell, rh Mr. Stephen
Dowd, Jim
Dunne, Mr. Philip
Eagle, Angela
Eagle, Maria
Efford, Clive
Ellman, Mrs. Louise
Engel, Natascha
Ennis, Jeff
Fisher, Mark
Fitzpatrick, Jim
Flint, rh Caroline
Flynn, Paul
Follett, Barbara
Foster, Mr. Don
Foster, Mr. Michael
(Worcester)
Francis, Dr. Hywel
Gapes, Mike
Gauke, Mr. David
George, Andrew
Gerrard, Mr. Neil
Gibson, Dr. Ian
Gidley, Sandra
Gillan, Mrs. Cheryl
Gilroy, Linda
Godsiff, Mr. Roger
Goldsworthy, Julia
Gray, Mr. James
Greening, Justine
Griffith, Nia
Hain, rh Mr. Peter
Hall, Mr. Mike
Hall, Patrick
Hamilton, Mr. Fabian
Hanson, rh Mr. David
Harman, rh Ms Harriet
Harris, Dr. Evan
Harris, Mr. Tom
Harvey, Nick
Havard, Mr. Dai
Heathcoat-Amory, rh
Mr. David
Hepburn, Mr. Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hodgson, Mrs. Sharon
Holmes, Paul
Hoon, rh Mr. Geoffrey
Hope, Phil
Hopkins, Kelvin
Horwood, Martin
Howard, rh Mr. Michael
Howarth, David
Howarth, rh Mr. George
Howells, Dr. Kim
Hughes, rh Beverley
Huhne, Chris
Humble, Mrs. Joan
Hunt, Mr. Jeremy
Iddon, Dr. Brian
Illsley, Mr. Eric
Ingram, rh Mr. Adam
Jackson, Glenda
James, Mrs. Siân C.
Jenkin, Mr. Bernard
Johnson, rh Alan
Johnson, Ms Diana R.

Jones, Lynne
Jones, Mr. Martyn
Jowell, rh Tessa
Keeble, Ms Sally
Keeley, Barbara
Keen, Ann
Keetch, Mr. Paul
Kemp, Mr. Fraser
Kennedy, rh Jane
Key, Robert
Kidney, Mr. David
Kirkbride, Miss Julie
Knight, Jim
Kramer, Susan
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lait, Mrs. Jacqui
Lamb, Norman
Lammy, Mr. David
Lansley, Mr. Andrew
Laws, Mr. David
Lazarowicz, Mark
Leech, Mr. John
Lepper, David
Levitt, Tom
Lewis, Mr. Ivan
Lewis, Dr. Julian
Linton, Martin
Lloyd, Tony
Llwyd, Mr. Elfyn
Love, Mr. Andrew
Lucas, Ian
Mackay, rh Mr. Andrew
Mactaggart, Fiona
Mahmood, Mr. Khalid
Malik, Mr. Shahid
Mallaber, Judy
Mann, John
Marris, Rob
Martlew, Mr. Eric
Mates, rh Mr. Michael
McCafferty, Chris
McCarthy, Kerry
McCarthy-Fry, Sarah
McDonnell, John
McFadden, Mr. Pat
McIntosh, Miss Anne
McIsaac, Shona
McKechin, Ann
McNulty, rh Mr. Tony
Merron, Gillian
Milburn, rh Mr. Alan
Miliband, rh Edward
Miller, Andrew
Miller, Mrs. Maria
Moffatt, Laura
Mole, Chris
Moon, Mrs. Madeleine
Moran, Margaret
Morden, Jessica
Morgan, Julie
Mountford, Kali
Mullin, Mr. Chris
Munn, Meg
Murrison, Dr. Andrew
Naysmith, Dr. Doug
Norris, Dan
O'Hara, Mr. Edward
Oaten, Mr. Mark
Olner, Mr. Bill
Öpik, Lembit
Osborne, Mr. George

Osborne, Sandra
Paice, Mr. James
Palmer, Dr. Nick
Pearson, Ian
Penning, Mike
Penrose, John
Plaskitt, Mr. James
Prentice, Mr. Gordon
Prescott, rh Mr. John
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Mr. Ken
Purnell, rh James
Rammell, Bill
Raynsford, rh Mr. Nick
Reed, Mr. Jamie
Reid, Mr. Alan
Rifkind, rh Sir Malcolm
Riordan, Mrs. Linda
Robertson, Angus
Robertson, Hugh
Robertson, John
Robinson, Mr. Geoffrey
Ruddock, Joan
Russell, Bob
Salter, Martin
Shapps, Grant
Shaw, Jonathan
Sheerman, Mr. Barry
Sheridan, Jim
Simmonds, Mark
Skinner, Mr. Dennis
Slaughter, Mr. Andy
Smith, rh Mr. Andrew
Smith, Ms Angela C.
(Sheffield, Hillsborough)
Smith, Angela E. *(Basildon)*
Smith, rh Jacqui
Smith, Sir Robert
Snelgrove, Anne
Soames, Mr. Nicholas
Soulsby, Sir Peter
Southworth, Helen
Spellar, rh Mr. John
Stanley, rh Sir John
Starkey, Dr. Phyllis
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Straw, rh Mr. Jack
Stringer, Graham
Stuart, Mr. Graham
Swinson, Jo
Swire, Mr. Hugo
Tami, Mark
Taylor, Matthew
Taylor, Dr. Richard
Thomas, Mr. Gareth
Thornberry, Emily
Timms, rh Mr. Stephen
Tipping, Paddy
Todd, Mr. Mark
Turner, Dr. Desmond
Tyrie, Mr. Andrew
Ussher, Kitty
Vaizey, Mr. Edward
Villiers, Mrs. Theresa
Vis, Dr. Rudi
Walley, Joan
Waltho, Lynda
Ward, Claire
Whitehead, Dr. Alan
Wicks, Malcolm

Wiggin, Bill
Williams, rh Mr. Alan
Williams, Mrs. Betty
Williams, Hywel
Williams, Mr. Roger
Williams, Stephen
Willott, Jenny
Wills, Mr. Michael
Wilson, Phil
Winnick, Mr. David
Winterton, rh Ms Rosie
Wishart, Pete

Wood, Mike
Woolas, Mr. Phil
Wright, Mr. Anthony
Wright, David
Wright, Mr. Iain
Wright, Jeremy
Wright, Dr. Tony
Wyatt, Derek
Young, rh Sir George

Tellers for the Noes:
Mr. Bob Blizzard and
Alison Seabeck

Question accordingly negatived.

Amendments made: No. 34, page 4, leave out line 30 and insert—

'(e) any embryo not falling within paragraphs (a) to (d) which contains both nuclear or mitochondrial DNA of a human and nuclear or mitochondrial DNA of an animal ("animal DNA") but in which the animal DNA is not predominant.'.

No. 35, page 5, line 6, leave out '(d)' and insert '(e)'.—*[Mr. David.]*

Clause 4, as amended, ordered to stand part of the Bill.

Clause 11

ACTIVITIES THAT MAY BE LICENSED

Dr. Evan Harris: I beg to move amendment No. 31, page 8, line 21, leave out subsection (1) and insert—

'(1) Section 11 of the 1990 Act (licences for treatment, storage and research) is amended as follows—

(a) in the title, for "and research" substitute ", research and therapy".

(b) in subsection (1)(b), for "and embryos" substitute ", embryos or human admixed embryos"; and

(c) after subsection (1)(c) add—

"(d) licences under paragraph 3B of that Schedule authorising activities for the purposes of therapy".'.

The Temporary Chairman (Mr. Jim Hood): With this it will be convenient to discuss the following amendments:

No. 14, in schedule 2, page 54, line 22, at end insert—

'*Licences for therapy*

1ZA (1) A licence under this paragraph may authorise any of the following—

(a) bringing about the creation of embryos in vitro, and

(b) keeping or using embryos, for the purposes of therapy specified in the licence

(2) No licence under this paragraph is to be granted unless the Authority is satisfied that any proposed use of embryos is necessary for the purposes of the therapy.

(3) Subject to the provisions of this Act, a licence under this paragraph may be granted subject to such conditions as may be specified in the licence.

(4) A licence under this paragraph may authorise the performance of any of the activities referred to in sub-paragraph (1), in such manner as may be so specified.

(5) A licence under this paragraph may be granted for a period not exceeding three years as may be specified in the licence.

(6) This paragraph has effect subject to paragraph 1ZB.

Purposes for which activities may be licensed under paragraph 1ZA

1ZB (1) A licence under paragraph 1ZA cannot authorise any activity unless the activity appears to the Authority—

(a) to be necessary or desirable for any of the purposes specified in sub-paragraph (2) ("the principal purposes"),

(b) to be necessary or desirable for the purpose of providing knowledge that, in the view of the Authority, may be capable of being applied for the purposes specified in sub-paragraph (2)(a) or (b), or

(c) to be necessary or desirable for such other purposes as may be specified in regulations.

(2) The principal purposes are—

(a) treatment of serious disease, or

(b) treatment of a serious medical condition.'.

No. 24, page 55, line 14, leave out from 'a' to 'that' in line 15 and insert

'harmful gene, combination of genes, chromosome or mitochondrion'.

No. 25, page 55, line 18, leave out from 'any' to 'establishing' in line 19 and insert

'harmful gene, combination of genes, chromosome or mitochondrion'.

No. 26, page 55, line 19, leave out second 'abnormality' and insert 'genotype'.

No. 27, page 55, line 20, leave out from 'other' to end of line 21 and insert

'harmful gene, combination of genes, chromosome or mitochondrion'.

No. 15, page 55, leave out lines 24 to 28 and insert—

'(i) a gender-related physical or mental disability which is life-threatening or severely impairs their quality of life,

(ii) a gender-related serious illness which is life-threatening or severely impairs their quality of life, or

(iii) any other gender-related serious medical condition which is life-threatening or severely impairs their quality of life

No. 4, page 55, leave out lines 30 to 37.

No. 17, page 55, line 33, leave out 'serious'.

No. 16, page 55, line 33, after 'medical condition', add

'which is life-threatening or severely impairs their quality of life'.

No. 18, page 55, line 35, after 'other', insert 'regenerative'.

No. 28, page 55, line 45, leave out 'abnormality' and insert 'harmful genotype'.

No. 29, page 56, line 1, leave out 'abnormality' and insert

'harmful gene, combination of genes, chromosomes or mitochondrion'.

No. 30, page 56, line 3, leave out 'abnormality' and insert 'harmful genotype'.

No. 5, page 56, line 11, leave out subsection (4) and insert—

'(4) In a case where a person ("the sibling") who is the child of the persons whose gametes are used to bring about the creation of the embryo (or of either of those persons) suffers from any medical condition which could be treated by umbilical cord blood stem cells, bone marrow or other tissue of any resulting child, a licence under paragraph 1 cannot authorise embryo testing for the purposes of establishing whether the tissue of any resulting child would be compatible with that of the sibling or for embryo testing for any purposes for the subsequent medical treatment of that sibling's medical condition.'.

No. 19, page 56, leave out lines 34 to 40.

No. 6, page 56, line 35, at end insert

', with the exception of sub-paragraph (4) of that paragraph.'.

No. 20, page 57, leave out lines 2 to 4.

No. 32, page 59, line 6, at end add—

'*Licences for therapy*

3B (1) A licence under this paragraph may authorise any of the following—

(a) bringing about the creation of embryos in vitro, and

(b) keeping or using embryos,

for the purposes of therapy specified in the licence.

(2) Subject to the provisions of this Act, a licence under this paragraph may be granted subject to such conditions as may be specified in the licence.

(3) A licence under this paragraph may authorise the performance of any of the activities referred to in sub-paragraph (1) in such a manner as may be so specified.

(4) A licence under this paragraph may be granted for such period not exceeding three years as may be specified in the licence.

(5) This paragraph has effect subject to paragraph 3C.

Purposes for which activities may be licensed under paragraph 3B

3C (1) A licence under paragraph 3B cannot authorise any activity unless the activity appears to the Authority—

(a) to be necessary or desirable for any of the purposes of developing or deriving treatments for serious disease or other serious medical conditions, or

(b) to be necessary or desirable for such other purposes as may be specified in regulations.'.

Mr. Burrowes: On a point of order, Mr. Hood. I am concerned as to whether amendment No. 31 is within the remit of the Bill, given Lord Darzi's letter of 31 January in response to a similar amendment in the other place. He made it clear that regulatory oversight by the Human Fertilisation and Embryology Authority finishes once a stem-cell line is derived and deposited in the UK stem-cell bank. Any stem-cell lines intended for human use will need to comply with the requirements of the Human Tissue Authority and are, therefore, subject to its regulations and to the Human Tissue Act 2004. As that is not the subject of the Bill and as other amendments, not least mine dealing with the collection of umbilical cord blood, were within the remit of the Human Tissue Act and the Human Tissue Authority, I ask the judgment of the Chair as to whether the amendment is in any way relevant, given that it is not within the remit of the Bill.

The Temporary Chairman: I cannot accept the hon. Gentleman's point of order, as the amendment would not have been on the amendment paper had it not been in order. It was selected by the Chairman of Ways and Means.

7.15 pm

Dr. Harris: Amendment No. 31 is important, but I take this opportunity to speak to the other group of amendments in my name, and to deal with the issue of saviour siblings, which is clearly one that will dominate the debate.

[Dr. Evan Harris]

Embryo selection can be negative or positive. Negative embryo selection, which has been lawful under the Human Fertilisation and Embryology Act 1990, means that if a family suffers from an inheritable disease, they are able—even if otherwise fertile—to have in vitro fertilisation. If it is successful, embryos can be gathered and tested at an early stage, while outside the woman, by the removal of one cell. That has not been found to damage the embryo and the testing of the cell enables clinicians to identify whether each embryo is affected by the condition. If an embryo is affected, the couple undergoing treatment can avoid selecting that embryo for implantation and use one of the unaffected embryos.

Since 1990, the HFEA has licensed such negative selection on a number of occasions and families have benefited by avoiding inheritable disease, particularly when they already have a child significantly affected by the disease. That is a reasonable thing to do and I absolutely reject the suggestion that helping a family to avoid having a child with a serious disease is in any way discriminatory against the disabled. There is a complete difference between seeking to alleviate or avoid suffering by such techniques and discriminating against disabled or sick human beings after they are born. Indeed, many of the doctors who work so hard to provide pre-implantation genetic diagnosis also work hard both to provide in utero surgery to avoid or ameliorate congenital defects and to look after children born with serious diseases. Although I realise that views on the issue run strongly, I hope that the allegation of discrimination is not levelled against clinicians, parents and those of us who think that PGD is legitimate to help people to avoid having a child with a forecast serious genetic disorder. Such an allegation borders on the offensive.

My second point is that when taking a cell to check whether a child is affected by a disease it is also possible to carry out other tests on the cell—for example, tissue typing. I shall briefly describe two cases. The first involves the Hashmi family whose child was very sick with thallassemia and needed a transplant, but none was available from the bone marrow or cord banks, as is often the case for families with certain genotypes—particularly, but not exclusively, those from ethnic minorities. The Hashmis needed to check whether their next child would have the same disease, and whether they could select an embryo who did not have it. They also wanted to see whether they could get a tissue match. The HFEA said, after serious consideration, that that was a legitimate thing to do, and the courts upheld that decision as lawful under the 1990 Act. I understand that the Hashmis were unfortunately not successful in conceiving.

The next case that came along was that of the Whitakers, a family from Oxfordshire. They had a child who was seriously ill with Diamond Blackfan anaemia, who was kept alive by weekly transfusions and nightly treatments of an infusion of a drug. It was not an inherited disease but a sporadic mutation, so when they had another child—they wanted to have another child anyway—they did not need to test the embryo for the genetic disease, but they did wish to use a tissue-typing technique. They were fertile but they wanted to have IVF so that they could select an embryo that was a tissue match, in order that a wanted, loved child could provide a cord blood transplant for the afflicted older sibling.

The family were denied that opportunity by the HFEA, which disagreed with its own ethics committee. It later changed its mind, but in the interim the Whitakers went to Chicago for the treatment. It was successful, and they had another child, who was healthy. That child's cord blood was used in a transplant for the older sibling. The procedure was successful, and the sibling was cured. As a result of the intervention, instead of neither of the two children being alive and healthy, they were both alive and healthy. That makes the case more eloquently than any speech or policy document could.

What are the problems? Well, I do not think that there are any. I do not accept the allegation that there will be a burden on the saviour sibling. There is no evidence of that. There is evidence that if the intervention does not take place the sibling will suffer bereavement, because the young child will be born into a family who have a seriously diseased child who may die. It would be a benefit if that could be avoided. As I said on Second Reading, even if we could forecast circumstances in which there would be a burden, those potential circumstances have to be balanced against the certainty of harm if the family is not allowed to have a second child in the way that I have described.

We do not know whether the removal of a cell creates long-term harm to the embryo; it is fair to say that the technology is relatively new. However we do know that so far—thousands of children have been born following pre-implantation genetic diagnosis—there does not appear to be any harm, although it is important to keep observing. We do know that the birth of many sick children has been avoided, and healthy ones have been born instead, and that a handful of saviour siblings have been permitted. The HFEA has made it clear that it will not allow the procedure if there is an alternative that does not involve the destruction of embryos, so if there is a bone marrow match or a cord blood match, it is likely that that will be pursued first, because such a transplant is clearly less onerous for the parents than IVF, which is burdensome, and pregnancy.

Dr. Gibson: Is it true, though, that many ailments and afflictions are multi-factorial, and that in those cases one could not easily find a single-gene disorder by carrying out PGD? In many cases, 50 or 60 genes are involved. What is the hon. Gentleman's view about those situations and the children with those afflictions?

Dr. Harris: It is most likely that the procedure will be possible only in a handful of cases, so we are not talking about widespread tissue typing of a lot of embryos. Of course, many parents will choose not to have IVF and will instead take their chances, which are one in four.

Clear evidence has been presented to me that a tissue-matched transplant from a relative is more likely to be successful—at least in the case of Diamond Blackfan anaemia, from which the Whitaker child suffered—than a tissue-matched transplant from someone who is unrelated. We all support the idea of a bone marrow bank and umbilical cord blood banks, but they will never be a complete replacement. However, if those banks expand, there will be less need for procedures of the kind that we are discussing. I do not think that we need to have the discussion that I fear we will have about the merits of umbilical cord blood banking and bone marrow banking, such as that provided by the estimable Anthony Nolan Trust. The measure is self-limiting; if cord blood and bone marrow transplants work, the procedure will not be done. The measure relates to the few circumstances in which the procedure will still be required.

As far as my party is concerned, there is to be a free vote on the issue. I know that some of my hon. Friends do not share my view, but I think that the procedure should take place. We are not talking about eugenics. Eugenics is a state-sponsored scheme of building in genetic advantages, or excluding certain genetic conditions. The procedure is not state-sponsored at all. It is for doctors and patients to agree to the procedure together, under informed consent, and then apply to the regulator for permission. It is not eugenics, and it is offensive to suggest that it is.

I should like to move on to the other significant amendments in the group. First, I want to talk about the amendments in my name concerning the use of the term "abnormality" in the Bill. That wording causes a problem. It allows genetic testing for a genetic abnormality. There are some characteristics that, together, might cause serious diseases or life-threatening disease—or whatever the threshold happens to be—but that cannot properly be called abnormalities. I have had a briefing from leading geneticists, including Marcus Pembury, that says that if the Government do not make this minor amendment, they may find themselves fighting a High Court case in which opponents of PGD will say, "This particular combination of normal genes, which causes a serious disease in this individual, is not an abnormality, so how can you say that you're testing for an abnormality, according to the terms of the Bill, when the problem is caused simply by a combination of normal components?"

The best comparison is with rhesus disease. Carrying certain rhesus factors—positive or negative—can cause serious disease in a second child, but the rhesus factor is not an abnormality; it just so happens that in that case, it is bad news for a child. I therefore urge the Government to consider the alternative form of words that I have suggested, which includes reference to a "harmful gene" or "combination of genes", because that is what we are talking about. In the other House, it was suggested that the phrase "genetic characteristic" be used—that is, a genetic characteristic that caused serious disease, not a genetic characteristic that was being screened for; we have to be clear about that. Either of those wordings would solve the problem, and I should be interested to know whether the Minister of State, Department of Health, the right hon. Member for Bristol, South (Dawn Primarolo), can be certain that her form of words will not be challenged.

Finally, I turn to amendment No. 31. It is linked with amendment No. 32, which would amend schedule 2. Amendment No. 32 is the key one; it is very important, but I do not have time to give it its due. It would insert a new provision that would enable the HFEA to give a licence for therapy as well as for research. The problem with the current Bill is that if, one day, the research works, and it is possible to derive from embryos stem cells that could be used to treat, say, diabetics by providing new, insulin-producing cells, or Parkinson's disease, it is not clear whether it would be possible to create embryos and use or store them for the purpose of therapy. Clearly, clinical trials are covered by the term "research", so it will be possible to create, store and use an embryo to provide stem cells for use in clinical trials. One cannot keep doing clinical trials once a treatment is known to work; it is unethical to randomise someone to placebo and someone else to a treatment that is known to be effective. At that point, one has to stop trialling, and instead deliver treatment. At that point, it is not clear whether the original embryo, from which the new stem cells are derived, will be covered, under the HFEA, by a licence, because one can get a licence only for treating infertility or for research.

The Government are right to say that the stem-cell therapies will be controlled by the Medicines and Healthcare products Regulatory Agency and, before that, by the Human Tissue Authority. That is not in doubt, and I am sure that the joint statement from those bodies and the HFEA will lead to a seamless transfer. The problem is that if, once research trials work, a company called, say, Stem Cells R Us comes along and says, "We can produce embryonic stem cells for treatment and sell them to the NHS as therapy", it will not get a licence under the Bill, because it cannot show what the research ends are. It is not good enough for the Government to say that there will always be quality assurance testing on any stem cells derived and that that counts as research. Quality assurance is not research. Research must pass muster on clinical research ethics, and a clear programme of research with inclusion criteria and exclusion criteria is therefore required.

7.30 pm

The Government gave two different answers when the issue was raised in the Lords—I can send the Minister the exact quotes. That makes their position difficult—if their position is that there is no problem—because if there were a challenge in court, it would be found that Ministers in the Lords said diametrically opposed things in Committee and on Report. In Committee, the Minister said that such a provision would be a step too far, because it would raise a series of issues about, for example, how many embryos per stem cell line are needed for therapy. On Report, the Government changed their mind, when the Minister said that such a provision would be unnecessary, because the practice is already permitted under the 1990 Act. The Government stuck to that line in the letter that was referred to in the point of order raised by the hon. Member for Enfield, Southgate (Mr. Burrowes) and on Third Reading.

That will not do. It is necessary to clarify the situation, which would not be a step too far. Indeed, Baroness Warnock expressed concern in Committee that despite everything we went through on cloning regulations, which related to conducting stem-cell research and providing therapies, the Government say that they would permit research but would not permit the fruits of that research—the therapies themselves—to be used.

Lord Patel and I worked on the amendment that has since been tabled by the hon. Member for Boston and Skegness (Mark Simmonds), but my amendment No. 32 is better than that, which is why I have re-submitted it—the two amendments do the same thing. I do not intend to divide the Committee, but whatever the Minister says in reply, will she meet me, scientists and stem-cell research funders, who are concerned, along with her officials to explain precisely why—I fear that she will not have time today—my amendment is unnecessary?

Dawn Primarolo: The Wellcome Trust, the Medical Research Council and a large number of scientists support the Government's interpretation of the 1990 Act. While I am always happy to exchange discussion points with the hon. Gentleman over a cup of tea, I regret that I will not give him such a commitment this evening.

Dr. Harris: I am astonished. The views of the MRC do not matter, because this is a legal question. I have received legal advice stating that the Government's position will not do and that it is challengeable, and potential investors in stem-cell research have said the same thing. I think that the Minister accepts that the first answer given by the Minister in the other place was incorrect, and she is now sticking by the answer given at a later stage.

Dawn Primarolo: The hon. Gentleman is persistent. *[Interruption.]* His colleagues have confirmed that, although they do not agree with him. If he wants to draw things to my attention, then he can send them to me. However, the advice that I have received and the consultation that has been undertaken indicate that the interpretation that the Government put on allowing research to be conducted into therapies, which is the purpose of the Bill, is clear, as explained in the other place.

Dr. Harris: I am very worried now, because that is not the question. The question relates not to research but to after research has finished. Let us say that in five to 10 years' time the research has worked and that the researchers want to create embryos to derive the therapies without the research stage. How would they do that, when only a research licence is available for that purpose? That is the problem. The Minister might say, "Well, we will have another Bill in five to 10 years' time." However, I do not think that she will want to go through this again. Furthermore, the history of legislation on the issue indicates that it does not come up very often.

I urge the Minister to recognise that she has not addressed my question. If someone wanted to produce embryos for therapy after trials had been conducted either elsewhere in the world or in this country, how would they apply, because they would not have a research project? The Minister should take this issue more seriously.

I know that many hon. Members want to speak. In expressing disappointment in the Government's response—

Dawn Primarolo: It is utterly outrageous for the hon. Gentleman to suggest that I am not taking the Bill seriously, simply because I am not prepared to undertake to meet him. I hope that he will withdraw that remark.

Dr. Harris: The record will show that I said that the Minister is not taking this issue seriously; so she is being unreasonable in suggesting that I have suggested that she is not taking the Bill seriously.

I have received legal advice that suggests that there is a problem, but the Minister has been unable to address it. The Government gave contradictory opinions in the House of Lords, but she will not even meet people who disagree with her. *[Interruption.]* I think that she is saying from a sedentary position that she would be happy to meet me.

Dawn Primarolo *indicated dissent.*

Dr. Harris: Apparently not, which I find amazing. The Minister will find that the issue comes back on Report, when she will be seen to be unreasonable on that issue.

I have set out why I believe it right to permit saviour siblings and why the drawbacks that have been ascribed to that approach do not apply. For a handful of families, allowing tissue typing as a form of PGD will give them the opportunity to help one child, while at the same time producing another healthy child who is also wanted.

Mr. George Howarth (Knowsley, North and Sefton, East) (Lab): Anybody listening to the debate on saviour siblings, both in Committee today and in the wider media—I exempt the hon. Member for Oxford, West and Abingdon (Dr. Harris) from this, but there are other speeches still to come—might be forgiven for falling under the misapprehension that the moral argument lies entirely in one direction and that the legislation has been drafted by a latter-day Mary Shelley who wants to allow scientists to create monsters. I am not exaggerating in making that remark—when we debated the amendments to clause 4, the hon. Member for Gainsborough (Mr. Leigh) prayed in aid Mary Shelley.

When one hears comparisons between this Bill and, for example, the Third Reich, it is easy to forget that we are discussing treatments that, if successful, could save lives and prevent needless suffering. We should make decisions based on the best available evidence and put highly charged language to one side. As with most contentious issues, no one side has a monopoly on the moral argument, and it is important that we avoid such pretensions and focus on real people's lives and the effects on real people's lives, as supported by evidence.

I respect the views of those who have reservations about the Bill, but the three main arguments against saviour siblings are flawed. I will discuss those arguments and touch on some of the moral arguments that support our moving in that direction. The first argument that is often put is that saviour siblings would be treated as commodities. In other words, parents who choose to have a further child in the knowledge that that might save the life of its sibling are somehow driven by unacceptable motives. At the heart of that argument lies the alarming notion that the state has the right to question the motives of prospective parents. It does not take a great deal of thought to realise the odd directions in which that could take us. I strongly believe that it is up to parents to decide their own justifications for having children. In practice, to be perfectly honest, it is unclear how it would be possible accurately to judge intentions in every specific case. I do not want to stray too far from the point, Mr. Hood, but it does not take a great deal of imagination to envisage a number of different cases where any of us would disapprove of the circumstances in which a child was conceived. However, would we have the right to condemn their birth? That example has a direct parallel with the argument that I have mentioned.

The second argument expressed by opponents of saviour siblings suggests that saviour siblings would be the first step on a slippery slope to designer babies. Frankly, that argument could be put only in a completely different context, because the rules in the Bill explicitly prevent such a development. If we went through life rejecting Bills on the basis of what subsequent legislation might propose, we would probably never pass any laws whatever.

The third argument suggests that saviour siblings may be physically and/or psychologically harmed. It is flawed for several reasons. First, the Bill includes an amendment that limits other tissue, so it does not include whole organs and will have the effect of preventing an embryo from being tested if the intention is to remove an organ from a child. Although it is true that, according to all reports, making a bone marrow donation is not a pleasant experience, there is little, if any, evidence that donors suffer any lasting adverse effects. In fact, the contrary is true: as the hon. Member for Oxford, West and Abingdon suggested, many people who can offer the gift of life report an overwhelming psychological benefit.

Arguments against saviour siblings are weak. What are the arguments in favour of them? More importantly, what principles should guide us on the issue?

Mr. Gary Streeter (South-West Devon) (Con): I am grateful to the right hon. Gentleman, who is making a thoughtful speech.

Does he not give any weight to the possible psychological harm to a second child—a saviour sibling—who had given, say, bone marrow on a number of occasions and came to discover, be told or believe that he had been created, selected or put together primarily for a particular purpose? Would such a child not wonder about what kind of child he would have been had that selection not taken place, and would that not add to the teenage angst and turbulence that we see in too many youngsters already?

Mr. Howarth: I understand the hon. Gentleman's point, which is important. However, I do not know where the balance of the evidence takes us. I do not wish to be in any way disagreeable, but 30 or 40 years ago it could have been argued that somebody born out of wedlock would be disadvantaged for the rest of their lives. Some people might have made a value judgment, but all I can say is that I know a lot of people who were born to unmarried parents and do not seem to have suffered any psychological disadvantage at all. I return to my previous point: the one thing that we do know is that most people who have benefited a sibling through this sort of procedure report that it makes them feel good about themselves and creates a greater bond.

The issue is complicated and it is difficult to say that in every case the use of saviour siblings would be damaging or that in every case it would be wonderful; there will be a wide spectrum of reactions to the experience. However, I do not think that the argument put by the hon. Member for South-West Devon (Mr. Streeter) seriously militates against their use.

Stephen Pound (Ealing, North) (Lab): I agree that my right hon. Friend is making a sober and considered case. However, I ask him to consider the circumstances of a saviour sibling whose creation fails to resolve the problem for which he or she was created. What psychological damage would that do the child, and how would the parents view that child—created to save, yet unable to do so?

Mr. Howarth: I understand my hon. Friend's point. I said that there would be a wide spectrum of circumstances and that cases would be different. One could equally argue that a child who had an elder sibling with a congenital disease that would lead to certain death, and who was not used for such a treatment, would suffer a bereavement that would result in an even greater psychological disadvantage. There is no easy answer to any of these problems and I do not pretend to have all the answers. However, I return to my previous point: I can foresee circumstances in which a young person would feel good about having played a part in the survival of an elder sibling.

Mr. Mark Todd (South Derbyshire) (Lab): My right hon. Friend referred to the positive feelings cited by siblings who have donated. Surely those siblings had given consent to the process—in other words, they were knowingly engaged in assisting another sibling. In the instance that we are discussing, no such consent would be obtained. The decision would be made by the parents.

7.45 pm

Mr. Howarth: My hon. Friend is correct. However, parents make all sorts of decisions about their babies and children without there being any possible consultation. I cannot see how somebody could be consulted about what could happen in their infancy before they were even born. My hon. Friend's point is not strong.

John Bercow: Will the right hon. Gentleman give way?

Tom Levitt (High Peak) (Lab) *rose—*

Mr. Howarth: I shall give way to the hon. Member for Buckingham (John Bercow) and then to my hon. Friend the Member for High Peak (Tom Levitt). After that, I really should make progress.

John Bercow: I am extremely grateful to the right hon. Gentleman for giving way. The fact that the savour sibling would not be in a position to give his or her consent at the time for something that proved to be thoroughly beneficial does not mean that he or she could not feel a great sense of retrospective satisfaction at having done something very good. The two concepts are by no means mutually exclusive.

Mr. Howarth: I am very grateful to the hon. Gentleman, who answered my hon. Friend the Member for South Derbyshire (Mr. Todd) more eloquently than I did.

Tom Levitt *rose—*

Mr. Howarth: Finally, I give way to my hon. Friend.

Tom Levitt: I agree with everything that my right hon. Friend has said. The answer to my hon. Friend the Member for South Derbyshire (Mr. Todd) is that when Siamese, conjoined twins have to be separated clinically and the chances are that one will die, I do not recall that the twin least likely to survive is consulted. The situation is difficult and parents have to make the decision. The situation is no different from that involving savour siblings.

Mr. Howarth: I am grateful to my hon. Friend. Perhaps I should just take interventions; the more I take, the stronger my argument becomes.

It is important to remember that, as the hon. Member for Oxford, West and Abingdon pointed out, the only real difference between conventional IVF treatment and the process of creating a saviour sibling is in the reduction of chance at the point when eggs are selected for implantation. In my view, claiming that that is a manipulation of DNA cells or a creation of designer babies is a misrepresentation of the facts. The reality is that it simply enables an informed selection of embryos so that there is a greater likelihood of a healthy baby who also has the potential to save their sibling's life. If, as I do, we accept that the principle of IVF is a good thing and if we have the technology to make this important decision in a more informedway, we should use that technology, as long as all therapeutic alternatives have been exhausted.

It is a question of using the best available knowledge to maximise the chances of saving lives and reducing suffering. As was noted in the previous debate, there are other sources of therapeutic cells—bone marrow transplants and cord blood from non-related donors provide such possibilities. However, only 20 to 35 per cent. of patients have a matching sibling by chance and the odds of obtaining matching stem cells from an unrelated donor vary according to the ethnic origin of the patient. As matching is significantly improved when the donor and recipient have the same ethnic and racial background, this Bill will have even greater benefits for people from minority ethnic groups struggling to find a suitable donor. Indeed, one of the cases that the hon. Member for Oxford, West and Abingdon referred to made that point equally well.

When we think about the principles involved, it is all too easy to forget that we are dealing with uncertainties. The best available scientific evidence can only predict the most likely future therapies. Indeed, the history of medicine shows, repeatedly, that life-transforming treatments in one area often arise from work with a very different original rationale. The obvious example is that of Alexander Fleming's discovery of penicillin—a chance discovery from an already discarded contaminated Petri dish. The drug sildenafil was originally used to treat angina before a notable side effect was deemed to have a significant therapeutic use in its own right. For those in the Committee who are not immediately familiar with this drug, its more popular brand name is Viagra.

Stephen Pound: It'll never stand up in court.

The Temporary Chairman: Order.

Mr. George Howarth: Mr. Hood, I shall refrain from responding to my hon. Friend's sedentary interventions.

We should ensure that we provide sufficient flexibility in the Bill to allow new therapies to be developed that at the moment are nothing more than theoretical possibilities. For example, the only conditions that can currently be treated by saviour siblings are those that can be cured through bone marrow or umbilical cord blood cells. In future, scientific techniques may have advanced so that other cells, perhaps from the umbilical cord itself, may be of use. It is, therefore, important to include such possibilities to maximise the potential to develop new cures and therapies.

Finally, there is a powerful moral argument in support of the measures in the Bill. Subject to the safeguards it contains, we should allow medicine to intervene to save lives and to reduce suffering wherever possible.

Mr. Burrowes: Before moving on to saviour siblings, I would like to deal with the amendments in the name of the hon. Member for Oxford, West and Abingdon (Dr. Harris), including amendments Nos. 24 to 28, which would significantly widen the embryo testing provisions from a situation where there is a risk of a gene chromosome of mitochondrian abnormality to cases where there is a risk from a harmful genotype or any other harmful gene. One has to raise the question of what a harmful gene or chromosome is. How is "harmful" defined? To whom is it harmful—a society that cannot tolerate disease? My concern about the amendments, and the Bill itself, is the value we put on life, and whether we seek to focus on the quality of life and make the judgment that some lives are more valued than others. I am particularly concerned about that lack of definition in the amendments.

Dr. Evan Harris: I would like to draw the hon. Gentleman's attention to proposed new paragraph 1ZA(2) in schedule 2(2), which states that not only does there have to be an abnormality or a harmful combination of genes, but also

> "a significant risk that a person with the abnormality will have or develop a serious physical or mental disability, a serious illness or any other serious medical condition."

Whatever that threshold is—the hon. Gentleman may think that it should be life-threatening, if anything—those conditions still have to be satisfied. There is no way one could widen the number of people to whom the provisions apply. It is just the way we define what it is that creates the risk that is at stake in the amendments.

Mr. Burrowes: I am grateful for that intervention because it is the issue of definition that concerns me. Amendment No. 25 sets out an extension to harmful genotypes. I have looked up the meaning of genotype, and it includes a range of definitions of the genetic make-up of an individual. Genotype can also be defined as the physical or psychological genetic potential of a person when born—for example, someone born with a genetic predisposition to depression. However, whether that person develops depression depends on their upbringing and environment. I looked further at the definition of genotype, and it is defined as one's genetic potential when born, physically and psychologically. Someone may be born with the physical genotype to play football for his or her country. One would have to judge whether it would be a harmful genotype that led someone to play football for England, Scotland or Wales. One certainly would not want to include a definition of genotype in relation to this area of the law.

I wish to press amendment No. 4 to a Division because it raises important issues of principle that I do not believe are met by the safeguards, which we shall debate later. The safeguards are helpful to the debate, and they have been discussed in detail in the other place. Nevertheless, it is important for this House to decide for the first time on the principle of saviour siblings. Indeed, that is one of the reasons we are discussing the matter in a Committee of the whole House. It is an important issue of principle.

I listened carefully to the right hon. Member for Knowsley, North and Sefton, East (Mr. Howarth), for whom I have great respect. It is certainly important that we do not simply consider the matter in some vacuum of principle away from the application of the real issues of anguish that have been mentioned—the cases we have heard that, for the avoidance of repetition, I will not go over in detail. The whole House shares considerable concern for those parents caring for a seriously ill child, and understands their desperate search for a cure. After they have been through all avenues to seek a match—from bone marrow or any available cord blood—and are told of an opportunity to create a sibling to provide a match, one can understand why they would want to consider that option. It is important that we take account of those concerns and recognise that they are rare concerns. I heard clearly the Government's response on Second Reading that the measure is one of last resort, but it is important that the House deals carefully with the ethical principles involved.

Dr. Iddon: Would the hon. Gentleman agree with many other Members that it is better to regulate saviour sibling technology tightly in this country instead of forcing people such as the Whitakers to travel long distances at a traumatic period in their lives? They went to Chicago, as we have already been told.

Mr. Burrowes: It is important for Parliament to have legislation that deals with the citizens of this country and to ensure that it is based on sound ethical principles. We need to do that and be vigorous, rather than simply devolving and delegating matters to a regulatory authority. Indeed, good practice might suggest that we devolve the matter to a court. I want to go through those issues and the safeguards in detail shortly.

First of all, however, it is important to consider the issue of principle. The important principle that we need to vote on today is whether it is legitimate and right deliberately to create a baby who has the same tissue type as a sick sibling with the intention of harvesting the cord blood, bone marrow or other tissue. Do we wish to do that, having taken into account the concerns of parents who are desperate for a match for an existing child? We need to ensure that we take account of those concerns. We have a duty as a caring society to offer all the services we can through modern medicine, and to ensure that there is a cure available, or an alleviation of those parents' concerns. I want to deal with those matters, too.

It is important that we do not make decisions in a moral vacuum—I do not believe that any hon. Member wants to do that. While taking account of parents' concerns, we must keep hold of the important principle that a child should not be deliberately used or created for the benefit of another, no matter how pressing the need.

8 pm

Dr. Desmond Turner (Brighton, Kemptown) (Lab): The hon. Gentleman is rightly concerned about moral principle. If amendment No. 4 is passed, a few—fortunately, not many—children will die because they cannot be treated. There is a moral imperative, if therapeutic measures exist—they do in the case we are considering, through scientific advances, pre-implantation genetic diagnosis and the tissue typing of embryos—to use them to save life. What is his reaction to that?

Mr. Burrowes: My reaction to that moral imperative, which has existed for several years, is to challenge the Government about the extent to which they are properly focused on and investing in umbilical cord blood to ensure that the necessary resources are available. We can then join Peter Braude of the Royal College of Obstetricians and Gynaecologists, who chaired the committee on cord blood. When asked about saviour siblings, he said that the need for donor siblings would be temporary and that, in future, he hoped that stem-cell supply, especially the use of cord blood from national cord blood banking, would virtually remove the need for donor siblings.

David Howarth (Cambridge) (LD): The hon. Gentleman mentioned the moral principle that people should not be merely means rather than ends. I agree. It is also important that harm is not done to the resulting children. However, I do not understand how those principles apply to the cord blood in a saviour sibling because no person is being used merely as a means and no harm is being done to a person.

Mr. Burrowes: Many hon. Members would be satisfied if the saviour sibling provided the cord blood. Indeed, the Joint Committee considered the matter and tried to follow that route. However, as I shall explain in more detail shortly, there is no guarantee that a match to cord blood will work. The next stage would be bone marrow and, after that, "other tissue".

Patrick Hall (Bedford) (Lab): Surely the hon. Gentleman acknowledges that bone marrow biopsy, with one child donating to another, already takes place.

Mr. Burrowes: Yes, but there is the important issue of consent. The Anthony Nolan Trust properly recognises informed consent. That happens in the case of bone marrow matches and is important. We are considering the most vulnerable children in terms of rights and providing proper protection for them. The House needs to ensure that we provide that protection.

[Mr. Burrowes]

The child has autonomous rights and it is important that we recognise them and ensure that they cannot be subjugated, however pressing the need, to the concerns and needs of the parents. We should apply that principle fully and vigorously.

Let us consider the practice in relation to saviour siblings and, more broadly, to pre-implantation genetic diagnosis and IVF treatment. One must acknowledge the difficulty of the process. I understand that it can take four cycles of IVF treatment to find the necessary match. As hon. Members know, in any one cycle of IVF treatment, around 12 eggs will be extracted. Of those, 10 will become embryos, eight will be biopsiable and it is possible to diagnose only seven. Two would be normal, with only one potentially described as good quality. Once that embryo has been implanted in the womb, the chance of it being carried to term is estimated at 15 or 20 per cent. That may not be of paramount concern for all hon. Members, but it is for some. Cycles of IVF treatment lead to many discarded embryos, both diseased and healthy. That causes some hon. Members concern, especially those who support amendment No. 4, which would prohibit saviour siblings. However, I appreciate that other Members have other concerns.

Some of those other concerns relate to the woman. As has been said in previous debates, there is a significant risk of ovarian hyperstimulation syndrome to the woman who undergoes the procedure. As the ovaries are stimulated to extract eggs, the ovulated ovaries release increased amounts of hormones into the abdominal cavity, causing it to become permeable. That raises concerns about the woman undergoing the procedure.

Dr. Evan Harris: Surely it is up to the woman. There is informed consent in those procedures. She may say that she wants a chance to save the affected sibling's life and wants a child who can give that chance. She is prepared, as are all those who undergo IVF, to take the risks, which are not trivial, to have that child. The hon. Gentleman's comments apply to all IVF treatment and assume that people cannot give informed consent, which they do, in their thousands.

Mr. Burrowes: I made a point about the practical implications for women. I do not want to deny them a choice, but to draw attention to the practical risks involved in the procedure and emphasise that it is not easy to reach the point of finding a matched embryo to provide a saviour sibling.

Let me consider the safeguards that the Government want to establish to ascertain whether they satisfy many Members' concerns about the principle of saviour siblings. In Committee in the other place on 3 December, umbilical cord blood stem cells, bone marrow or other tissue were discussed. When questioned about "other tissue" in November, Lord Darzi stated:

> "The Bill does not limit which tissue can be used in the treatment of a sibling… and the Human Tissue Authority must approve any transplants involving organs from living donors and children who are too young to give consent."—[*Official Report, House of Lords*, 21 November 2007; Vol. 696, c. 869.]

That raises questions about not only a matched saviour sibling for cord blood or even bone marrow, but how "other tissue" can be properly defined and limited. The subsequent concern was that, if the embryo were found to be immune, it would be implanted deliberately to become a source of what those in the other place described as spare parts for an existing child—its sibling—even when too young to give consent.

The Parliamentary Under-Secretary of State for Health (Ann Keen) *rose—*

Mr. Burrowes: If I may continue, perhaps I can give way shortly.

Since that time, the Government have amended the Bill to clarify that the reference to "other tissue" does not include any whole organ of the child. The Government have sought to provide that safeguard and make it clear that a decision to allow embryo testing on the basis of providing a future organ transplant for a sibling would not be allowed. I can see the Government's good faith in that. They want to extend that safeguard in respect of the saviour sibling becoming a whole organ donor.

Nevertheless, the Bill still contains a definition of "other tissue". The matter has been debated and challenged in the other place. I understand from correspondence and debate that when reference was made to extending the safeguard and to defining "other tissue" as regenerative tissue—my hon. Friend the Member for Boston and Skegness (Mark Simmonds) will probably want to expand on that—the Government's position was that "other tissue" certainly does not include whole organs.

Dr. Iddon: The regulator has so far allowed such treatment for only aplastic anaemia, Diamond Blackfan anaemia and beta thalassaemia. The regulator decides which conditions can be treated by the saviour sibling technology, which in turn determines which tissues can be taken. Would the hon. Gentleman agree with that?

Mr. Burrowes: That raises the question of whether we should extend the use of saviour siblings not only to life-threatening conditions, but to the wider threshold of serious illnesses. In time, their use may be extended to illnesses beyond those that the hon. Gentleman mentioned. That is why we must consider the safeguards carefully. However, I will deal with the process of regulation shortly.

Rather than removing the phrase "other tissue", the Government wanted to encompass the whole matrix of umbilical cord blood, in respect of research suggesting that cells of the umbilical cord, rather than the cord blood, may offer potential for treatment. That is the Government's primary focus when using the phrase "other tissue". However, one cannot be wholly satisfied with that response. In the debate in the other place, in response to Lord Alton of Liverpool, who was particularly concerned about the possibility of "other tissue" being extended to other regenerative tissue, such as part of a liver or a lung lobe, Baroness Royall of Blaisdon said:

> "With regard to parts of an organ, the Bill has been drafted in this way to allow the use of cells of the umbilical cord or, for example, if it were possible in the future to treat conditions with cells cultured from a small biopsy from the liver or any other organ."—[*Official Report, House of Lords*, 21 January 2008; Vol. 698, c. 23.]

Reference was made in the debate in the other place to muscle as regenerative tissue and to ensuring that the Bill was inclusive enough to allow for biopsies from muscle for future treatments.

The Government's position on defining "other tissue", as well as including umbilical cord blood and bone marrow, is inclusive. It seeks to deal not only with the current circumstances, but future treatments that may follow. That raises profound questions. Those questions have been raised in correspondence between Lord Alton of Liverpool and Lord Darzi, in a letter dated 25 January, which not only questions the Government's position on "other tissue" in detail, but questions why, if the Government are focusing primarily on umbilical cords as the donation source, they are not minded to omit the word "blood" from between "umbilical cord" and "stem cells", so that the Bill would read "umbilical cord stem cells". Would that not be sufficient to capture stem cells from both the cord and cord blood? If not, would adding "and cord" to the existing wording, so that it read "umbilical cord and cord blood stem cells", be sufficient?

I invite the Minister to respond to that. However, if she feels that that approach would not wholly incorporate both the cord matrix cells and a small biopsy of regenerative tissue, why are the Government not explicit in the definition of "other tissue"? The concern remains that "other tissue" as currently defined still raises the spectre of part organs being available for donation, whether regenerative or not. I say, "not", because then we come to the regulatory role of the Human Tissue Authority after the child is born and the possibility that the courts could be involved too, in decisions relating to transplants of whole or part organs from children.

8.15 pm

That spectre is raised because, as I intimated in my point of order, it is currently not within the remit of the Bill to deal with those details as they affect the Human Tissue Authority and its regulation. We are only one side of the coin, but the House does not have the opportunity to put into primary legislation its concerns about how far a saviour sibling could go in terms of donation. We all need to be aware that once the embryo is tissue typed, it has implanted an immune matched sibling for life and is known to have organs compatible with the older sibling, whether the initial reason related to tissue typing or not. That raises the danger that a saviour sibling could become a lifelong donor.

Dr. Evan Harris: There is a flaw in the hon. Gentleman's argument. What if there was a fortuitously matched sibling who was not tissue typed or selected? They would not be allowed to donate organs or parts of organs, because of criminal law—the law of assault—and the rule that the best interests of the child must be maintained, and because the General Medical Council would take a strong view. What the hon. Gentleman describes is not going to happen in the vast majority of cases, so why does he think that special statutory protection is needed in this case?

Mr. Burrowes: That is a helpful intervention, because the distinction must be borne in mind. With saviour siblings, we are dealing not just with a fortuitous match, but a child who has been deliberately created and tissue typed for the purpose of matching the sick sibling. That is the deliberate reason for their creation. When one comes before the Human Tissue Authority, one cannot be wholly sure about the dangers that I have set out—that the child will be a lifelong donor—because it has not been possible to provide the cord blood or bone marrow match as a resource, but the sick sibling in that family still needs the cure for their debilitating illness, but has an immune, matched sibling, who has a genetic footprint that potentially provides the answer.

Dr. Harris: Will the hon. Gentleman give way?

Mr. Burrowes: I want to extend my argument.

The pressure is there. It is not beyond the realms of reason that the Human Tissue Authority would, in time to come, question the signal that the House had given it on saviour siblings.

Mr. Kevin Barron (Rother Valley) (Lab): Will the hon. Gentleman give way?

Mr. Burrowes: As it is a new hon. Member intervening, I will.

Mr. Barron: I do not know whether the hon. Gentleman has ever read the *Hansard* report of the debate on the legislation that introduced the Human Fertilisation and Embryology Authority, but I was involved in those debates, on the Opposition Benches, many years ago. Many of the arguments that he is rehearsing were made then, too, albeit in a different light, but most people in our society—and, I suspect, most people in the House—have had great confidence in that authority over the past 17 or 18 years, and are confident that in future it will do nothing more or less than what society would allow it to do.

Mr. Burrowes: It is perhaps regrettable that we in this House cannot consider the Human Tissue Act 2004 in the context of saviour siblings, and debate it more fully so that the House can be clear about its intentions. The Human Tissue Authority—or, indeed, lawyers—might be seeking to make the case that Parliament would effectively be sanctioning the creation of a sibling for the specific purpose of tissue matching. If the alleviation or cure does not come through the use of cord blood or bone marrow, the next considerations will be about other tissues and whether there should be other donations.

The burden on the sibling and the parents to find the cure, which they see before them in the saviour sibling, would be immense and might be of concern psychologically. The argument has been made that such a situation might, alternatively, help the family to bond. What would happen if a person who has been created to cure or help their sibling cannot do so? The pressure would continue. What would be the psychological impact on a saviour sibling of knowing that they were created for a purpose that they cannot achieve? There is no evidence on that, but the burden is on the Government to establish whether there has been any assessment or study of the psychological impacts.

Dr. Harris: What is the difference between a saviour sibling being unable to fulfil such hopes, despite tissue typing, and a sibling who was not tissue matched also being disappointed because they cannot provide tissue? That is simply a sad situation, and the hon. Gentleman has produced no evidence that the sense of disappointment would be greater simply because the parents had tried harder in that situation. At least they would have tried their best.

Mr. Burrowes: My response to that is similar to my response to the hon. Gentleman's previous intervention: those cases are entirely different. We are dealing with a sibling who has been created specifically because of their tissue match and genetic footprint to find a cure for their sibling. The case of another sibling would be wholly different.

I should like to move to the Human Tissue Act test and consider the best interests of the child in relation to donation. The best interests test includes not only medical considerations, but a person's social, psychological and emotional best interests. That is why the psychological impact is relevant. Those interests would have to be examined if there were an application for donation. That could leave a child in a vulnerable situation and under unique internal and family pressures, having been created specifically to be a donor for the elder sibling. They could be put in a situation in which their older sibling might die if they do not provide the required organ. Those are considerations that could well arise in a chain of events, and it is therefore important that we do not simply rely on the safeguards in the Bill or even those suggested in amendments.

We must consider carefully, rely upon and uphold the important principle that we should not deliberately create a child for the benefit of another. The way to respond to this issue is not simply through prohibition but by promoting an area of resource—umbilical cord blood stem cell research. What is happening is a crying shame; there is a moral imperative on the Government to have more than four hospitals collecting cord blood. It imperative that we do not lag at 13th position in a league table of 17 countries for our collection of cord blood units per inhabitant. We are way behind other countries. It is imperative that we inform parents of the value of cord blood and of the opportunities to collect it, and that we encourage collection so that we have that ready resource that can provide the match and cure for parents who desperately want a cure for their children. On those points of principle, I invite hon. Members to support my amendment. We should not countenance a break in the principle, effectively, that a means justifies the end.

Mr. Todd: I have a brief speech to make on a narrow point of concern. What we are sanctioning in this debate is the use of an invasive procedure on a child without their consent and without their gaining any direct benefit from that intervention. There has been speculation that such a child might benefit from feelings of good will towards the sibling that they might or might not have helped, but there is no certainty of that. I shall dwell on those elements, starting with consent.

There are many procedures for which children are not required to give consent. My son has had to undertake certain procedures on the basis that I have consented to them, and that is an entirely familiar principle in law. However, such procedures are usually associated with the principle that that child—the focus of this speech is that the child is an autonomous being in this matter—should derive some benefit from the procedure that they are undergoing. If the parents' consent is not directly associated with that child enjoying a benefit, but is so that another child will enjoy a benefit, we should reflect on that with some care.

The Bill sanctions invasive procedures. In the preceding speech, the hon. Member for Enfield, Southgate (Mr. Burrowes) made the point that that can occur in a variety of different ways that are sanctioned in the Bill. The commonest method will be concerned with bone marrow extraction, which my right hon. Friend the Member for Knowsley, North and Sefton, East (Mr. Howarth) described as an unpleasant procedure. Like any invasive procedure, it is not without risk. It carries a low risk, but it could go wrong. If the Bill excluded such steps and instead relied entirely on non-invasive procedures, I would probably accept the wording, but it sanctions a procedure that could, as has been said, involve the extraction of a part of a child's body, and could certainly involve the extraction of bone marrow.

Patrick Hall: Does not bone marrow biopsy already take place? The point has been made that that is not with the informed consent of the child, but it could not be, because a child is not of legal majority. None the less, such procedures already take place to try to help a sibling, so what is the difference in principle? If a child were created partly for that purpose—it would also be because they were wanted—that bone marrow could not be removed for at least a year after they were born, so what is the difference from existing procedure?

Mr. Todd: I must say that I have some anxiety about existing practice sanctioning a potential injury to a child from which they will not derive any direct benefit, but in this instance I rely on the argument that was made in the preceding speech: the child will have been engineered specifically for that purpose rather than being created naturally. I do not regard the circumstances as being precisely comparable, but I take the point that there is a part answer to the ethical issue that I have raised.

Lastly, the potential psychological impact on the child has been discussed. I think that all our remarks on this point are speculative. As has been made clear from the start, the sample involved is likely to be tiny and is tiny now. There is no basis on which anyone can do anything other than guess what the impact on a child might be. The positive constructions that have been suggested are perfectly possible, and a child might well feel greatly loved and that it had contributed greatly in love to its sibling. However, it is also possible that much more negative feelings might arise. I personally feel that I cannot second-guess that in law, but that is what we are implicitly doing in the Bill, as it is currently worded.

Mark Simmonds: It is a pleasure to follow the hon. Member for South Derbyshire (Mr. Todd), who made a thoughtful and thought-provoking speech, as did the right hon. Member for Knowsley, North and Sefton, East (Mr. Howarth), whose logical and engaging speech carefully deconstructed the arguments that have been put forward against saviour siblings. My hon. Friend the Member for Enfield, Southgate (Mr. Burrowes) made a very principled speech, and he was right to highlight the fact that we must not consider this important issue in an ethical vacuum. I have enormous respect for him, and he was right to highlight the concerns that exist about the HFEA. He was also right to emphasise the importance of cord blood. I do not agree with his amendments, however, which would effectively prohibit saviour siblings. As a father of three young children, who are thankfully very healthy—sometimes too healthy—I have great sympathy with those who are not fortunate enough to have such healthy children. I therefore understand why such people would do anything that they can within the structure of the law to enable their sick child to survive.

8.30 pm

I want to speak specifically to the amendments to clause 11 and schedule 2. I also want to make some generic comments about this part of the Bill, because I understand that there are certain matters that we will not be allowed to discuss in the Public Bill Committee, and we might not have time to discuss them on Report, which will last for only one day.

The Bill is absolutely right to outlaw sex selection for non-medical reasons. However, pre-implantation genetic diagnosis—PGD—will be permitted if there is a significant risk of a child developing

"a gender-related serious physical or mental disability, a gender-related serious illness, or any other gender-related serious medical condition".

I want to return to the use of the word "serious" in a moment.

I support this general proposal, which will allow families who know that they are at risk of passing on a serious genetic condition to their offspring to test the embryos and to implant only an embryo that is free of the disease. The hon. Member for Oxford, West and Abingdon (Dr. Harris) pointed out that it was not compulsory for parents with genetic illnesses to use PGD. It is not discriminatory, but it is right that it may not be used to select any positive characteristics.

The Bill also permits the selection of embryos to provide compatible

"cord blood stem cells, bone marrow or other tissue"

to a sibling with a serious medical condition. One of the amendments tabled in my name refers to "other tissue". I will expand on that a little later. Cells are normally taken from the umbilical cord of the saviour sibling or, if that is not successful, from their bone marrow.

Of course this is controversial, but the creation of saviour siblings is currently occurring. It is very rare; I understand that, to date, the HFEA has licensed tissue typing for only six families. This is available only when all the other options are exhausted, and when there is no match on the bone marrow register, the NHS cord blood bank or other blood banks or within the family. We all hope that the number of cord blood banks in this country will be increased, and that the amount of cord blood that is thrown away will be significantly reduced. However, any decision to use that tissue must be a matter for the Human Tissue Authority to determine, rather than the HFEA.

As we have heard in the debate, there are serious concerns about the use of saviour siblings, and the HFEA and the HTA must consider closely each application to ensure that it is justified and necessary, and that there is absolutely no alternative. We have also heard discussions about the worth of the saviour child. I do not agree that the provisions would undermine that child's worth, particularly if the child were born into a loving, caring family, as it inevitably would be. In fact, the opposite impact would be achieved if a child knew that it had saved one of its siblings.

The amendments tabled in my name and that of my hon. Friend the Member for South Cambridgeshire (Mr. Lansley) include amendment No. 15. Its effect would be to tighten the circumstances in which embryo testing can be carried out, so that it could take place only when an illness was life-threatening or severely impaired a person's quality of life. These provisions would replace the word "serious" that is in the Bill at the moment. Amendments Nos. 17 and 16 would do similar things in different parts of the schedule.

Dr. Evan Harris: Is the hon. Gentleman convinced that substituting the words

"severely impairs their quality of life"

would tighten the provision that currently refers only to "seriously"? In other circumstances—I am not suggesting that this would apply in circumstances such as these—we know of conditions that seriously impair the quality of life. Myalgic encephalopathy is an example. However, other serious conditions that perhaps carry a risk of sudden death are otherwise asymptomatic and do not impair the quality of life. Is the hon. Gentleman really tightening up the provision, or simply creating more flexibility?

Mark Simmonds: I understand the hon. Gentleman's point. The legal advice that I have received on this is contradictory; I must be honest about that. However, everyone says that the use of the word "serious" does not create a very tight provision, and that any effort to tighten the clause would therefore be welcome. I shall say more about that later.

Amendment No. 18 would insert the word "regenerative". This goes back to the point made by my hon. Friend the Member for Enfield, Southgate about the words "other tissue". It would be helpful if the Minister could stipulate exactly what other tissue this means. I have no wish to duplicate the debate that took place in another place, in which it was made clear that this was not intended to include the removal of whole organs. I understand, however, that it could mean not only bone marrow and biopsies but partial organ removal, and that those organs—for example, a significant chunk of a liver—might not grow back. It would be helpful if the Minister could tell us whether that is being considered in this regard.

Dr. Harris: Actually, I would like to use the liver as an example of something that might be caught by the hon. Gentleman's amendment, because it does regenerate, particularly in young people. Including it might make the liver an organ that the courts might deem the House to have considered. The liver is not the best example to use of an organ that does not regenerate.

Mark Simmonds: I take the hon. Gentleman's point, but that is not my understanding of the situation. I am told that it depends on how much of the liver is taken. A significant percentage can be taken, even from a young person, and the person will still survive with the remnants of their liver. Not all of their liver will grow back, however. The Minister needs to tell the House whether that would be the impact of the amendment that I have tabled. A kidney is perhaps another example. People have two kidneys, and if one were taken, a person would survive. I understand, however, that that would not be allowed under these provisions because it would involve a whole organ being removed.

Greg Clark (Tunbridge Wells) (Con): Does the key distinction relate not to the difference between regenerative and other tissue, but to the invasive techniques that are required? These were referred to by the hon. Member for South Derbyshire (Mr. Todd). Many of us would be content for stem cells from cord blood to be used, because that does not involve invasive techniques, but we have concerns about the necessity literally to invade the body of a child in order to provide some of the other kinds of tissue.

Mark Simmonds: I understand my hon. Friend's point, but I would raise with him in response the issue of what would happen if a saviour sibling were born and the umbilical cord were wrapped around the baby's neck and had to be discarded. Is my hon. Friend suggesting that the parents would have to take a decision to have another saviour sibling that would generate the particular cord blood or other tissue required to save the elder child? I do not think that that would be acceptable, which is why I believe that invasive procedures such as removal of bone marrow should, as a last resort, be allowed for saviour sibling purposes.

Amendment No. 19 would remove the regulation-making power from the Secretary of State. It is a probing amendment. It would be helpful if the Minister put on record the circumstances in which embryo testing could be licensed and if she clarified which particular circumstances the Government envisaged might be changed in the process of licensing. Would it include circumstances in which seriousness is diluted even further than I believe it is at the moment? Will she also confirm that any changes to the powers for regulating saviour siblings would be put before the House in the form of regulations, requiring the affirmative resolution procedure?

The issue of seriousness is relevant to amendments Nos. 15, 16 and 17 on the circumstances in which a saviour sibling can be created. They are too open to interpretation. Reservations relate to how an illness will be defined as "serious" and by whom. What will be serious to one party may not be so serious to others. In my view, using the words

> "life-threatening or severely impairs their quality of life"

makes it more specific to an individual, which the term "serious" is not. I understand why the Government do not want only the term "life-threatening" in the Bill, which is why I have insisted that "quality of life" should also be in the provisions. Some serious illnesses may seriously impact on the quality of life of an individual without actually killing that individual. Clearly, a saviour sibling may resolve that particular problem.

Dr. Harris: Will the hon. Gentleman give way?

Mark Simmonds: Let me make a little progress; I will give way to the hon. Gentleman in a few moments.

Will the Minister also clarify what would be allowed under the term "serious" that would not be allowed under "life-threatening" or seriously impairing the "quality of life"? If there are any serious differences, the Committee should know what they are. I understand from lawyers—I say this in response to an earlier intervention—that neither "serious" nor "quality of life" provides the utopian phraseology that would be needed to ensure that this provision is drafted as tightly as it should be.

Dr. Harris: I am trying to be helpful, so I am grateful to the hon. Gentleman for taking my intervention. He said that "serious" was not tight enough, as it was open to interpretation and was essentially subjective. However, the fact that it is open to interpretation is important in clinical practice, because doctors and patients together take decisions that are specific to their circumstances. That is what medical care is. Secondly, if "serious" is subjective—not a bad thing when dealing with patients—so is seriously impairing the "quality of life". They are both subjective; one is no better than the other in that respect.

Mark Simmonds: That is where we disagree. I think that my amendments are better because they are, in my view, tighter. I accept that there has to be some flexibility—there was a debate in the other place about this issue—in that we cannot have a list of specific diseases or illnesses that will be treated. I understand the decision taken not to accept that: it would be very difficult to agree the list in the first place; and as new techniques came along, the list might have to be amended, which would be complex.

Let me move on to deal with amendment No. 18, which relates to the types of tissue used to create saviour siblings. As I have said before, whole organs are prohibited, but I am still concerned about allowing the removal of parts of organs that might not grow back—hence the issue of regeneration. As the hon. Member for South Derbyshire said, the issue of consent is also relevant. Indeed, consent is rightly viewed as the cornerstone of this legislation. Given that the child cannot possibly give consent, it would be interesting to know whether the consent of the parents overrides any particular ownership of tissue that the child may have. Adults can, of course, consent to kidney donation, but children and certainly saviour siblings cannot.

Let me deal finally with licences for therapy in amendment No. 14. It is similar to amendments Nos. 31 and 32, which were tabled by the hon. Member for Oxford, West and Abingdon. The general thrust of the Bill must be that it should last as long as the 1990 Act. It is a testament to the robustness of debate on that Act that it has lasted for so long. I am sure that the Minister and all other Members of the House who are interested in these issues do not want to have to return regularly to this legislative structure, although I fear that this is one of those areas that may need looking at as technologies and sciences develop.

8.45 pm

Clearly, people believe that scientists may still be a long way off developing cures, but the motivation behind all that research is finding therapies and, ultimately cures. I understand that no provisions in the 1990 Act provide for treating conditions other than those related to reproduction. The HFEA licenses for treatment non-medical fertility services, storage and research, including—correctly—clinical trials. The amendment would enable the HFEA to license the creation and use of embryos for therapy. Again, it would be helpful if the Minister clarified whether my comments are correct.

I understand that if a cell line that could cure an illness was deregulated under current regulations, researchers would have to go back to square one and create another cell line to comply with EU regulations. Clearly, that may well delay the application of the cures and treatments.

John Bercow: I hope that my hon. Friend will forgive me if I press the rewind button and ask him briefly to revert to the issue of consent, on which he touched a few moments ago. I am genuinely slightly puzzled by what he said and I am interested to know his position.

It seems to me to be unavoidably the case that consent cannot be given. I do not see how it can be given retrospectively. My hon. Friend then began to talk about the issue of ownership of tissues. What conclusion has he reached on the point about consent and does it differ from my own and that of the right hon. Member for Knowsley, North and Sefton, East (Mr. Howarth)?

Mark Simmonds: I am grateful for that intervention. I am pressing the Minister on the apparent confusion between the HFEA and the Human Tissue Authority over who is responsible for giving licences.

Of course the cornerstone of this legislation has to be consent, and clearly it must be the consent of the parents that enables a saviour sibling to be created in the first place, but there is confusion and I suspect that the Government are resisting adding "Licences for therapy" to the Bill because of the complex regulatory package that would be required, including the HFEA for embryo research, the HTA for tissues and the Medicines and Healthcare products Regulatory Agency for human applications, although those bodies already act in sequence and it would be possible for them to work together to regulate stem cells derived from human embryos for therapies.

Mr. Burrowes: I am grateful to my hon. Friend for drawing out the complications in dealing with the licensing authorities—within the remit of the Bill, we have only part of the picture. Returning to the principle and the comments on consent made by my hon. Friend the Member for Buckingham (John Bercow), does my hon. Friend the Member for Boston and Skegness (Mark Simmonds) agree that the lack of consent is obviated by retrospective satisfaction? Would he care to comment on whether consent could be given in such a manner?

Mark Simmonds: I do not think that that is right, because we would get into the difficult issue, which was raised earlier, of what would happen if a saviour sibling did not provide a satisfactory conclusion to the illness or the problem. Ultimately, the parents have to make the decision, along with the licensing from the HFEA within the legislative structure that we are discussing, but consent has to be the cornerstone—where possible—of the legislation. Of course, if there are to be exceptions, all sorts of other issues will be created, which we shall explore in the Public Bill Committee. We will discuss such things as mitochondria and the potential solutions for those with mitochondrial inherited diseases.

Parliament needs to consider the issue now and not allow it to be slipped through by the HFEA as technology runs ahead of legislation. Indeed, one reason why there has been anxiety and angst is that the HFEA has moved forward as technology has run ahead of the legislation. The Minister will gather from the exchanges and my responses that there is clearly confusion about that issue. Clarity would be helpful.

In response to the hon. Member for Oxford, West and Abingdon, the Minister mentioned that she has received legal advice that there is no necessity to put a licence for therapies into the Bill. While I can quite understand why she does not want another meeting, it would be helpful if she perhaps placed in the Library for those who are participating in the Committee the detailed legal advice that she referred to, which, as I understand it, states that there is no problem with the HFEA licensing stem-cell therapies.

Dawn Primarolo: Let me try to explain the Government's thinking on clause 11 and schedule 2, and on the issues that have been raised.

The Bill sets out five purposes for which embryos can be tested, and a regulation-making power to amend them. One of the purposes is the creation of so-called saviour siblings. As we have observed this evening, that is an issue that provokes very strong feelings in people on both sides of the discussion. Some feel that the creation of a tissue-matched sibling is entirely appropriate to treat an affected child when it is the only treatment option, and that not to allow it would essentially impose a life sentence on the child. Others feel that, despite that, saviour siblings should not be permitted.

Some parents with an affected child whose only treatment option—perhaps because the child has an unusual tissue type—relies on the creation of a tissue-matched sibling would feel very strongly that the Bill's proposals offer a practical solution. Having a child to satisfy a particular need, in this case the treatment of a sick sibling, is not uncommon. As the hon. Member for Beckenham (Mrs. Lait) pointed out so eloquently on Second Reading, no one has a child solely for the child's own purposes. It is often done to satisfy the needs of parents to be parents, or the need for a brother or sister for an existing child.

Let us consider a family who are in that position. The parents love the existing child so much, and are so motivated to do whatever they can to protect that child, that they are willing to undertake embryo testing. Embryo testing is an invasive and expensive procedure, and such motivated parents are highly unlikely to be anything other than loving and supportive to any child born into their family.

Mr. Dominic Grieve (Beaconsfield) (Con): I have been listening carefully to the Minister's arguments. I also listened carefully to the arguments of the right hon. Member for Knowsley, North and Sefton, East

[Mr. Dominic Grieve]

(Mr. Howarth). The right hon. Gentleman said that one thing we are not discussing is the creation of designer children, but that is exactly what is being discussed. It would be useful if that could be accepted. We cannot really have a sensible debate without such acceptance, because it absolutely underpins the debate.

Dawn Primarolo: I entirely disagree with that proposition. Regardless of whether the principle of saviour siblings is accepted in the House, there is no suggestion whatever that they would be designer children.

Arguments for banning tissue typing on grounds of psychological harm to the children who are born are difficult to justify, as my right hon. Friend the Member for Knowsley, North and Sefton, East (Mr. Howarth) said in his eloquent speech. In practice, so few families have used the technologies that any children born are so young that it is not possible to draw reliable conclusions about the impact of being a saviour sibling. I absolutely acknowledge that fact, and Members must have that clearly in their minds.

Stewart Hosie: Will the Minister give way?

Dawn Primarolo: As many points have been raised, I would like to make a little progress before taking an intervention from the hon. Gentleman.

The amendments tabled by the hon. Member for Enfield, Southgate (Mr. Burrowes) would ban tissue-typing completely. That would be a backward step, and it would prevent people from accessing treatment to which they currently have access. In practice, tissue-typing is only very occasionally carried out. As has been said, the HFEA has licensed tissue-typing only in a handful of cases, and always for life-threatening conditions. It considers applications for the process on a case-by-case basis, and we would expect it to continue to proceed on that basis. Where it has agreed to proceed—for rare blood disorders—tissue typing already takes place, but that is not specifically set out in the 1990 Act, and this Bill rectifies that. Tissue typing is a treatment of last resort, and while I acknowledge the concerns of many Members, in my opinion and that of the Government there is not sufficient justification to remove the last-chance treatment option for the sick children who would be affected by such a ban.

Tom Levitt *rose—*

Stewart Hosie *rose—*

Dawn Primarolo: I shall give way first to the hon. Member for Dundee, East (Stewart Hosie), as I promised to do so.

Stewart Hosie: I have been listening carefully, and I have a genuinely open mind on this bit of the Bill, but many of my constituents are deeply concerned about the concept of saviour siblings. Will the Minister at least acknowledge their fear that a saviour sibling who is born and then fails in their cord blood, marrow or part of an organ to fulfil one of the purposes for which they were born—to save another child—might be left utterly bereft and despondent? That is a concern that many of my constituents have for such children in the future.

Dawn Primarolo: I touched on that point. I absolutely acknowledge that in these extremely difficult cases very hard choices have to be made by loving, caring parents about their families, but those same choices are made by parents who already have younger or older children and who, for example, give their consent now for a bone marrow transplant where an existing child might save another child in the family. So these hard choices sometimes have to be made whether or not such a child has been created through the process under discussion. The hon. Gentleman is right to say that there are difficult issues that need to be considered, but they are not unique to the provisions in this Bill.

Mr. Geoffrey Cox (Torridge and West Devon) (Con) *rose—*

Dawn Primarolo: May I just finish the point before giving way?

I know that I would want to move heaven and earth if my child were involved. Under this clause and schedule, we are asking the House to agree to leave it to the parents who are in this dreadful situation to make an application for the special treatment that is provided—testing within saviour siblings—and to to the HFEA to consider that on a case-by-case basis in order to come to a decision about such families. I say frankly and in all sincerity that unless we are to deny those parents the opportunity ever to access the testing, that is the best that we can currently do in the House with the constraints as they are.

Several hon. Members *rose—*

Dawn Primarolo: I shall give way to my hon. Friend the Member for High Peak (Tom Levitt) and then to the hon. and learned Member for Torridge and West Devon (Mr. Cox).

9 pm

Tom Levitt: My right hon. Friend rightly identifies the motivation of the parents involved. I hope to catch the eye of whoever is in the Chair in order to tell the story of a constituent who is in one of the six families who have been licensed for this procedure so far. May I assure her that in their case it is not a question of a traditional treatment or even of the cord blood bank, which is not suitable in this case, because the alternative is to watch a young child have a slow, lingering, dreadful and early death?

Dawn Primarolo: I know, and I am sure that every Member in the House this evening and those listening to our proceedings elsewhere in the House will dread the prospect that, as a parent, they might ever be in that position. These are difficult issues, but we must assure ourselves that we do not deny the parents, who ultimately are the people who must decide to have access to this testing. We must satisfy ourselves in the House that such a process is properly regulated to deal with the unique circumstances that might arise. I promised to give way to the hon. and learned Member for Torridge and West Devon, so I shall do so.

Mr. Cox: Is not the difference between the normal situation—one calls it normal because we are dealing inherently with the abnormal in these circumstances—where a parent is faced with the choice of whether to give approval for an invasive procedure on an existing child whose tissue matches that of another, and a situation where a child has been deliberately conceived and bred for the purpose, that faced with the latter situation a parent would be under enormous pressure and would not, in law, be regarded necessarily as an independent and impartial person capable of taking a decision on consent in the best interests of that child? So we have a problem of consent. Is not the difference that in one case the child is bred for the purpose whereas in the other it is not and the parent is simply weighing impartially between the two children the interests of each?

Dawn Primarolo: The hon. and learned Gentleman picks unfortunate phrases in articulating his point this evening. The proposition is that somehow parents would approach this matter lightly and that, in the occasions that we can examine, they have had other children in the hope that there would be a tissue match. It is incredibly unfortunate that they could possibly be accused of being disrespectful or of entering into breeding a child—as he puts it—in a cavalier or unreasonable way. I would also say to him that before the HFEA issues the licence, it has to satisfy itself, within the terms and conditions of the legislation, that such a licence should be provided. Consideration would be given to all the details, to the motivations and to the appropriateness of such a licence being given in order to deal with these difficult choices. Before I move on to deal with the amendments, I shall give way once more, to my right hon. Friend the Member for Knowsley, North and Sefton, East.

Mr. George Howarth: A few moments ago, the hon. and learned Member for Beaconsfield (Mr. Grieve) made the allegation that schedule 2 and the relevant clause were really about authorising designer babies. May I draw his attention to proposed new paragraph 1ZB(1), in schedule 2? It states:

> "A licence under paragraph 1 cannot authorise any practice designed to secure that any resulting child will be of one sex rather than the other."

If the sex of the child cannot be determined, it is hardly possible that it can be a designer child.

Dawn Primarolo: My right hon. Friend makes a fair point. What is at issue is whether hon. Members agree in principle with saviour siblings, as my right hon. Friend pointed out in his speech. It would help the debate enormously if Members concentrated on what is actually in the Bill and what it would and would not permit, as my right hon. Friend did, rather than on their fears or their hopes in an attempt to undermine the principle.

The hon. Member for Enfield, Southgate persisted in suggesting that the Bill did not explicitly rule out the donation of organs. He did try to correct himself, but he continued to make that assertion, although it is not the case. The Bill sets out that the siblings must be suffering from a serious medical condition that could be treated by umbilical cord blood stem cells, bone marrow or other tissue, except whole organs, resulting from the child—

Mr. Burrowes: Will the Minister give way?

Dawn Primarolo: The hon. Gentleman has intervened a lot and he has also spoken. If I could make some progress in answering the points that he has already made, I would be happy to give way later. He owes the Committee an explanation of whether his motivation is just that he is completely against this Bill and its provisions. That would be a legitimate position, but it would be helpful if he could make that clear.

Amendment No. 18 would limit to regenerative tissue the cases in which embryo testing can be used where the intention is to use tissue other than bone marrow or cord blood. It is our view that that might prevent the use of some potentially desirable types of tissue in the future, such as cells of the umbilical cord itself.

Amendments Nos. 15, 16 and 17 address the issue of whether a disease is life-threatening. Embryo testing allows families with inherited genetic conditions to avoid passing on the particular condition that affects them. The HFEA has licensed more than 80 conditions for pre-implantation genetic diagnosis, including Huntington's disease, muscular dystrophy and cystic fibrosis. Three of the purposes for which an embryo can be tested relate specifically to medical conditions, and the Bill specifies that embryo testing for those three purposes can be done only when the condition is serious.

I accept the points made in the debate that the Bill does not contain a definition of "serious". The HFEA will have to determine how that term should be used in practice when considering the appropriateness of embryo testing for any particular condition. We expect its ethics committee, using its full experience as an authority, to make appropriate interpretations.

Amendments Nos. 15 and 16 would change the test required to license a condition for some of the embryo-testing purposes from "serious" to "life-threatening" or

> "severely impairs…quality of life".

The effect will be to tighten the criteria for which some types of embryo testing can be carried out. As I have said, embryo testing is not a trivial process. It involves invasive stages of IVF including the drug regime and egg collection, plus an additional stage of testing, which will ultimately reduce the numbers that are suitable to be placed in the woman. People would not and do not undertake the process lightly or for trivial conditions.

How much effect the amendments would have on practice would depend on how the criteria are applied. The HFEA would still need to consider what makes a condition life-threatening: whether such a condition is one that shortens the life of the affected person by a number of years, or one that causes death in childhood. How much of an impairment must the condition be to the person's quality of life? Those are difficult decisions. The use of the word "serious" in the Bill is to determine for which conditions embryo testing is appropriate. It gives a strong steer about what kinds of

[Dawn Primarolo]

conditions can be tested, while allowing scope for the HFEA to apply definitions using its licensing experience.

Amendments Nos. 24 to 30, tabled by the hon. Member for Oxford, West and Abingdon (Dr. Harris), relate to the use of the word "abnormality" in embryo-testing provisions. He seeks both an alternative description and an extension of the provisions. Under the amendments, the embryo-testing provisions would be extended to allow the testing of combinations of genes, as well as genes that are not necessarily harmful on their own but could be in combination with another factor. That would involve testing for genes that in the majority of the population are normal variants and would not necessarily cause a medical condition.

The amendments go further than the provisions in the Bill, and the Government have concerns that as currently drafted the effect might not be as intended. The Bill reflects current HFEA policy, and we are not aware of anyone having used the technology for the wider uses envisaged by the amendments to date. For some people, that type of testing would be considered a step too far. However, we recognise the desire for future-proofing of the legislation. Accordingly, we have allowed for that via a secondary power enabling the provisions relating to embryo testing to be amended in the future. Such regulations would be subject to the affirmative procedure. The amendments are not appropriate as they would allow testing for conditions that to date the HFEA has not licensed. If necessary in future, the legislation could be amended using the regulation-making power.

Amendments Nos. 19 and 20 seek to remove the regulation-making power so that the provisions in the Bill when enacted could not be updated if necessary—a point to which Members keep referring. To ensure that the desirable purposes of testing can be permitted, and the undesirable ones prohibited, the regulation-making power is appropriate. The amendments would not allow the legislation to keep pace with science and would limit the longevity of the new Act.

Let me deal with amendments Nos. 14, 31 and 32, on licences for therapy. Under the 1990 Act, the HFEA is given the power to issue licences in respect of four types of activities: treatment, non-medical fertility services, storage and research. The Bill does not change that. The amendments tabled by the hon. Members for South Cambridgeshire (Mr. Lansley) and for Oxford, West and Abingdon would add the further specific category of the licensing of the creation and use of embryos for therapy—that is, the creation of embryos to generate embryonic stem cells for use in the treatment of disease that is not infertility related.

9.15 pm

The Government have always supported the use of embryonic stem cells in the development of treatments for serious diseases and medical conditions. Following discussion in the House of Lords, we gave the need to license non-reproductive therapies serious consideration. The Government are of the view that the licensing framework that would be in place following the introduction of the Bill would allow for the derivation of embryonic stem cells if it took place as part of a research project. In the vast majority of cases, it is highly likely that clinical research would be involved. The Bill would then allow the development of those cells into a therapeutic product without the need for further amendment.

Any embryonic stem-cell line that is intended for therapeutic use will need to undergo considerable safety assessment and then a substantial research phase involving pre-clinical and clinical studies. Each and every cell produced with the intention of treating disease would be different, and therefore each and every cell line produced would require the same clinical research, including pre-clinical and clinical studies. It is therefore unlikely that stem cells will be taken directly from an embryo and inserted into the patient.

Even with the most advanced and effective protocols for stem cells and for the differentiation of those stem cells into the tissue required, the pre-clinical and clinical testing of those cells will invariably be required before wider use can be sanctioned. As we have explained in detail and in a letter circulated to the House of Lords, it is therefore difficult to envisage a situation, despite the propositions that we have heard, where stem cells will be used for patients without some element of research involving pre-clinical and clinical studies. That would be the appropriate time to consider what further regulatory framework we need.

Some hon. Members are concerned that if embryonic stem cells are derived under a research licence they cannot be used in treatment, because that goes beyond research. Let me address those concerns. Regulatory oversight by the HFEA finishes once a stem-cell line is derived. That means that once embryonic stem-cell lines have been developed, the HFEA regulatory framework under which the embryo was produced is not relevant to any further use of that cell line, whether for further research or for treatment.

The Medical Research Council has recently made available £3 million in order to allow the consideration of 25 embryonic stem-cell lines for therapeutic application, which is to be awarded to research projects in that area. That reflects recognition of the potential for the creation of embryonic stem cells for use in therapy. The House should consider what it does next when that potential is closer to realisation.

I hope that my comments have been helpful and have shown why the Government's view is that the clause and schedule, as drafted, should remain unamended.

Mr. Grieve: I had not intended to intervene in the debate, but the comments made by the Minister and the right hon. Member for Knowsley, North and Sefton, East (Mr. Howarth) cannot go unchallenged. I fully accept that the Committee has to consider some complex ethical issues. One of the underlying ethical issues, which the Minister touched on, is the extent to which one approves or disapproves of interfering in the process of procreation. That is one of the fundamental dividing lines between Members of the House; it has been illustrated in earlier Divisions and will doubtless crop up again.

On Second Reading, I took the view that I should not oppose the Bill, because whatever my ethical viewpoint on that fundamental matter, it could be argued that the pass was sold in that regard rather a long time ago—certainly some time before the Government took office.

However, the problem that the Minister seemed quite unwilling to address this evening was that once the pass has been sold, and the House and the Government have taken over the task of making those ethical judgments, they cannot be ducked. The right hon. Member for Knowsley, North and Sefton, East said that the provision was not about designer children—an argument echoed by the Minister. I have to say that their argument has an intellectual incoherence that is truly breathtaking. It cannot be argued that the provision is not about designer children, because the intention behind it is to design children who will fulfil the particular purpose of being able to help their siblings. If the House is really to be soft-soaped into believing that is not the case, it really is to the discredit of the Government in their inability to engage in coherent argument.

There might be powerful reasons for the Minister to say that the provision represents an aspect of designing children that the Government conclude is justified. That argument would be intellectually valid, but it is to belittle any notion of common sense to argue to the contrary.

Mr. George Howarth: The example I gave from schedule 2—I think, with some intellectual credibility—demonstrates that if we cannot design the gender of the child, it cannot possibly be in all respects a designer child. There is a world of difference between what the hon. and learned Gentleman is talking about and what is in the Bill and, if I may say so, the lack of intellectual credibility lies elsewhere than with my right hon. Friend the Minister and me.

Mr. Grieve: I listened carefully to the right hon. Gentleman, but I have to disagree with him. I accept that he might be using the expression "designer child" in a sense that I am not, but if one decides to select the creation of a child on the basis that it has certain design characteristics, particularly in terms of its genes, which will be helpful to a sibling, to my mind that is a designer child. We really cannot escape that argument.

Patrick Hall: Is the hon. and learned Gentleman not treading into the area of saying that IVF is design? The tests made in that technique are normally to try to ensure that the child, or potential child, does not suffer from certain genetic conditions.

Mr. Grieve: The hon. Gentleman makes a perfectly valid point—one could indeed advance that argument. On the whole, in vitro fertilisation to aid conception has been accepted by many as valid, particularly if it is carried out, in essence, randomly. However, if it was carried out selectively the hon. Gentleman would be right.

I want to move on. I was making a preliminary point, because as the debate moves away—as I hope I now will—from the fundamental potential ethical divide over interference in a natural process, what troubles me is that the House may be lulled by arguments that what we are doing is not very important or does not matter. It is important that we are not lulled into a situation where the Minister says, "All these things will add to freedom of choice", which was one of the arguments. That may be so, but the provisions will be subject to the HFEA, which was set up as the arbiter of that choice. That is not pure freedom of choice at all. We are not saying, "We leave it to everybody to make up their mind according to their conscience." Instead, we are setting up a whole series of processes. The Minister says that the processes will be limited, but what do some of those serving on the HFEA say? An external adviser, Dr. Simon Fishel, predicted that saviour siblings would soon be used to treat children with various forms of anaemia, and could eventually help those with other conditions. He said:

> "You might start looking at organs...Suppose you have a family with a gene for polycystic kidney disease.
>
> If they are going to have another child they could use these techniques not only to ensure that it does not suffer from the condition, but also use tissue typing just in case an older sibling does need a transplant later."

That is not what the Government intend, but it is worth the Committee bearing in mind the possible consequences of the decisions that we are making this evening.

There has been a lot of debate about the impact that the decision to bring a saviour sibling into the world will have on the saviour sibling, and whether it will depend on whether he fulfils the expectations of his parents. Those are valid points, but the question that we must ask, having balanced what we aim to achieve against the possible disbenefits, is whether it is necessary to proceed down that route. To argue that we are not engaging in design is a piece of casuistry that does not help us in our deliberations, because whether we are doing it for good or ill, that is what we are doing.

Robert Key: My hon. and learned Friend is making a characteristically erudite and clever speech, but he disappoints me, because he seems to be trying to argue that someone is literally designing a child. That is not the case. We are talking about discovering something that already exists, and simply choosing one kind of cellular structure rather than another, one of which will deliver genetic abnormality or disability, and one of which will not. That is not designing a child. That is taking what is on offer in nature, and it is helping to design only in the sense of choosing what is best.

Mr. Peter Bone (Wellingborough) (Con): That is design.

Robert Key: It is not. It is not manipulating the genetics of the child in any shape or form.

Mr. Grieve: I have to say that I disagree with my hon. Friend. It is a selection of a design for a purpose. Moreover, I do not know whether he was present at the time, but the Minister made it quite clear that we are using the expression "saviour sibling" because the design intention is to help the sibling. Indeed, that is the purpose of the Bill. The aim is not to remove the possibility of a child having genetic problems of their own, but specifically to help another child. I am trying to confine myself to the narrow issue, rather than stray on to the wider ethical question, but I find the proposition very dubious indeed.

The House has taken it upon itself to try to regulate these challenging ethical fields—through, I suppose,

[Mr. Grieve]

the mechanism of the HFEA; it is the arbiter. I find that impossible to justify, even if I try to approach it in the manner in which it has been presented by the Minister. For that reason, I shall certainly support the amendments of my hon. Friend the Member for Enfield, Southgate (Mr. Burrowes). I do not see the need for the process, to approach the issue from the narrow angle of the Minister, and I see many downsides to it. We are embarking on a new field of ethical activity—the creation of human beings specifically for the genetic benefit of others. I suggest to the House that it should try to think through logically the consequences of what it is doing before we embark on that course.

Mr. George Howarth: The hon. and learned Gentleman's argument is predicated on the assumption that a child born in such circumstances would be created for one purpose only, which is clearly not the case. I do not know whether he is aware of what was in his parents' minds when he was conceived; I certainly do not know what was in my parents' minds. I remain grateful for the fact that I was born—[HON. MEMBERS: "So are we!"]—but I am unlikely to ask my mother, as she enters her 82nd year, what was in her mind at the time.

9.30 pm

[illegible] Grieve: I have no idea what was in my parents' [illegible] the time, although I can speculate, but I am [illegible] it was not a tissue-type match for a sibling, which is the serious point that the Committee must consider. Underlying the regulation of those processes, which have been going on since 1990, is the notion that there are some underlying ethical matters, which have continued to trouble hon. Members and the Government. Moving to a situation in which people are created as tissue matches, which is the only reason the HFEA must regulate such activity, strikes me as an astonishing change for which I have not heard a single justification.

Sir Patrick Cormack: Is it not clear that my hon. and learned Friend was not chosen from a catalogue?

Mr. Grieve: If there was an attempt to choose me from a catalogue, it was unsuccessful, because the nature of human beings is our individuality and we are not capable of being so selected.

I want to bring my remarks to a close. If the Minister wants to justify the provision to the Committee, she will have to do better than arguing that it is not a design process for the purpose of helping somebody else, which means that it is of no relevance to the person being procreated. Even on that narrow basis, there are strong arguments not to go down this road.

Tom Levitt: I rise as a biologist, a rationalist and a supporter of the Bill. I am not attracted by any of the amendments that have been discussed tonight. However, I do not want to engage in intellectual argument or discuss high-falutin' matters of philosophy—we heard enough of that in the previous contribution.

I want to tell the Committee a story about one of my constituents. David is three years old and suffers from fanconi anaemia. There is no medical treatment or cure for that condition. He needs a bone marrow transplant before the age of 10 to avoid a slow and lingering death within the following 20 years, when he will die from bone marrow failure or from leukaemia. There is no existing tissue match for David. All 12 million people worldwide who are members of bone marrow databases have been checked, but a match has not been found. If David were to have a bone marrow transplant from a mismatched donor, there would be a 30 per cent. chance that he would survive in the short term. At that point, he would spend six months of his life in hospital, and he would have a life expectancy of perhaps another 15 years. He would not reach adulthood, if he were to have a mismatched donor.

The hon. Member for Enfield, Southgate (Mr. Burrowes) should note that the same point applies to cord blood banks. In an e-mail, David's father told me:

> "A cord blood bank is potentially positive for any child having to undergo a bone marrow transplant but the specific nature of the disorder of Fanconi Anaemia, the commonest inherited bone marrow failure condition, is that a related sibling match will always have significantly less mortality and morbidity than an unrelated donor match irrespective"

of whether it comes

> "from an unrelated adult donor or unrelated cord blood."

Mr. Burrowes: I am grateful, particularly for the hon. Gentleman's reference to cord blood. It is the 20th anniversary of the first cord blood transplant specifically for fanconi anaemia; it was performed in France by Professor Elaine Gluckman, the major pioneer in the field. Should we not move heaven and earth, to cite the Minister's words, to ensure that we do not just throw away 98 per cent. of cord blood and so that we can use it as a resource to provide cures for fanconi anaemia without going down the ethically perilous route of saviour siblings?

Tom Levitt: I am sure that there is a role for cord blood banks. In this particular case, however, David's is one of the six families who have been licensed for the saviour sibling technique precisely on the grounds that there is no alternative treatment. Were David to have a sibling-saviour transplant, there would be a 95 per cent. chance of success in the short term. He would spend just three weeks in hospital and live the rest of his life as normal.

Conditions such as fanconi anaemia are very rare, and that may be why only six families are licensed for the treatment at present. David's father has explained why his family have embarked on the process:

> "We would like to save his life. We would also like to have an unaffected child that will outlive us and that can give us hope in our lives…For most people who choose to have an opinion, this Bill will fortunately never affect them. This Bill is for families like us…Other families worry about what choice of secondary school they will send their child to, we worry about whether our child will be alive next year. Our son already asks about bone marrow, transplantation, and death…we are waiting with trepidation for the day he asks us to explain his condition."

Patrick Hall: My hon. Friend was present when the hon. and learned Member for Torridge and West Devon (Mr. Cox) questioned the suitability of parents' engagement in decisions about the matters under discussion. Does my hon. Friend not agree that the process through which his constituents have gone—the counselling and expert advice that they have received—places them in a stronger position than most people will ever be in for taking an informed decision?

Tom Levitt: My hon. Friend anticipates what I was just about to say about David's parents. They are both doctors and are very well informed about what they are asking of their future child. It is also interesting that they are both Catholics. They are concerned that if they go ahead with the technique, they will be stigmatised among some of their friends.

Judy Mallaber: Did my hon. Friend hear his constituent speaking on the news at lunch time? Anyone else in the Committee who heard him will have had no doubt about the rationality of his decision, his love for his existing child and the love that he would give a second child. The decisions were taken in a very rounded way and were reached in difficult ethical circumstances, given the personal beliefs with which the parents had to contest. My hon. Friend's constituent should be a welcome example for anybody in the House.

Tom Levitt: My hon. Friend is right. I knew that the interview was taking place, although I did not hear it. However, I have been in e-mail correspondence with my constituent about this issue in the past few days.

David's parents are desperate that their child and others with similar conditions should be able to live. They have asked me to beg the Committee to let David live, accept the proposals for savour siblings outlined in the Bill and ensure that when that choice is the right and only way forward, it is not ruled out for families such as David's.

Dr. Evan Harris: This excellent debate has gone far and wide, well beyond the issue of saviour siblings. In fact, I am surprised that the debate has ended somewhat earlier than planned. Nevertheless, I should like to offer the following comments to the Minister and the Committee about my amendments.

Amendments Nos. 24 to 30 question whether "abnormality" is the right term to use for the genetic characteristic to be tested in pre-implantation genetic diagnosis. I accept that, as the Minister said, my amendments go further than the provisions of the Bill. But I am concerned that the Bill may not go far enough to capture all the conditions that are not single-gene mutations, and therefore abnormalities, that one might legitimately want to test for with the same threshold of seriousness. The Minister says that we would need to provide examples in order to persuade her that the existing wording was not sufficient, and that is the challenge. If, for example, one could identify two normal variants—causing a life-threatening disease—that could not be called abnormalities, perhaps the Government would look at the matter again. I shall ask the clinical advisers whom I have been hearing from—including Professor Martin Bobrow, who chaired the Academy of Medical Sciences working group into another aspect of the Bill—whether they can provide some specific examples.

The second area is that of licences for therapy, which is dealt with by amendment No. 30 and associated amendments. I listened carefully to the Minister, who made it clear that the Bill allows embryos to be created and used for research, which in itself should be sufficient to cover any therapeutic use. She gave a second reason, which I accept, that the therapeutic use of cells will be covered by the Medicines and Healthcare products Regulatory Agency, the Human Tissue Authority and not the Human Fertilisation and Embryology Authority.

Moreover, any embryos from which stem cells are derived will inevitably have research associated with them, and therefore could be covered by a research licence. But I question whether that is the case in every situation. Briefly, I want to mention four scenarios and see whether the Minister recognises that there might be a problem.

There might be an organisation that is a specialist in the derivation of embryonic stem-cell lines in other jurisdictions, which applies to the HFEA for a licence to use embryos to create stem-cell lines that it intends to pass on to another organisation to use for research or therapy. How would such an applicant be able to specify what research was done if it is not doing the research? The current Bill requires the people producing the embryos to be the people associated with the research licences, which may stifle innovation, investment and the production of stem cells.

Secondly, cell-based therapy might be so well established in the future that only quality assurance need be carried out, without a research protocol, prior to therapy. In such a scenario, the embryo would be created and then used for therapy without a research step. The same distinction between quality assurance and audit on the one hand, and research on the other, is already made in the Human Tissue Act 2004 for the use of tissue. The Minister's argument depends on there being no possible therapeutic use that did not require a form of clinical or pre-clinical research on those cells, and I am not convinced that that is certain.

The assumption that the therapeutic use of ES cells will always follow formal research during the lifetime of the legislation is dangerous because if phase 1 and phase 2 trials are successful, there will be clinical pressure to use ES cells as experimental treatment, albeit licensed by the MHRA, outside of the phase 3 research protocol. Alternatively, phase 3 trials might be successful, and it would be questionable whether one could identify a proper research application, beyond quality assurance, within the subsequent use of the newly derived ES cell lines created under research licence. The Minister may say that that is dealt with, and if she agrees to put a summary of the legal advice in the Library, I shall look at it.

Finally, if therapeutic cloning works, it might be possible to provide autologous stem-cell therapy for a patient using their own somatic cells. That would be experimental therapy, not research, if it were used, and such a situation might apply in the lifetime of the Bill. I am concerned that the Government are not adequately future-proofing the Bill by accepting the relevant amendment, and we shall have to examine that question in the weeks to come. It is not my intention, however, to press it to a Division now.

I turn to amendment No. 15, in the name of the hon. Member for Boston and Skegness (Mark Simmonds), which I did not address in my earlier comments. It proposes to change the definition of serious disease to

[Dr. Evan Harris]

a disease that causes a serious impairment of quality of life. He defended that on the basis that his definition was tighter and less open to interpretation. I questioned that in interventions. To be fair, he kindly accepted that he was not sure that it was tighter.

9.45 pm

Mark Simmonds: The hon. Gentleman will recall that the Minister confirmed that my interpretation was correct and his was incorrect.

Dr. Harris: I question whether the definition is tighter, but I do not believe that it should be because the decision should be left to doctors and patients, under the regulator's guidance. It is difficult for us to decide at the outset that something is not serious when the regulator, the doctor and the patient might consider it serious. When pre-natal diagnosis is done through amniocentesis, with an indication for termination of pregnancy, not at an embryonic but a foetal stage, weeks into the pregnancy, there are no criteria for seriousness. It is illogical to have a high threshold for embryonic steps to avoid illness when amniocentesis and pre-natal diagnosis in an established pregnancy require no such threshold. Doctors have written to me saying that they do not understand that distinction: why one can terminate a pregnancy without a seriousness threshold—the doctors and patients decide—when we set such a threshold for embryo testing, before a pregnancy is established.

Let me consider the important speech of the hon. Member for South Derbyshire (Mr. Todd) about the extent to which it is appropriate to conduct invasive procedures on a child to derive tissue for transplant to a sibling. I am a member of the BMA Medical Ethics Committee. The BMA wrote that it is not worried about that ethical problem because there is already provision for taking the child's best interests into account. In the case of disagreement by doctors and parents or between parents, a court must be involved. Paragraph 44 of the Human Tissue Authority code of practice states clearly, if briefly:

> "Courts have identified certain important decisions which require court approval where one person with parental responsibility consents against the wishes of another. If there is any dispute between persons with parental responsibility or any doubt as to the child's best interest, the matter should be referred to court for approval."

Invasive procedure could be sanctioned only when there is no doubt that it is in the child's best interests. Of course, that is relevant to every sibling, not only the small minority of saviour siblings, who may be a match for an affected child. It is wrong to suggest, in the few cases that the Bill covers, that there is a problem with common law, medical ethics and the guidance to doctors about the best interests of a child for invasive procedures if we do not extend those provisions to the many more children in that position. The Bill strikes the right balance on saviour siblings and I urge hon. Members to bear that in mind.

I respect the commitment of the hon. Member for Enfield, Southgate (Mr. Burrowes) and the way in which he presented amendment No. 4, on which I am sure the Committee will divide. However, it is clear from advisers on cord blood banking that, however much one expands cord banks, it will not remove the need in a minority of cases for saviour siblings. I hope that he accepts that I can find no medical opinion, including from those who run the banks, to support the view that expansion would do away with the need for legislation on saviour siblings in a minority of cases.

I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 11 ordered to stand part of the Bill.

Schedule 2

ACTIVITIES THAT MAY BE LICENSED UNDER THE 1990 ACT

Amendment proposed: No. 15, page 55, leave out lines 24 to 28 and insert—

> '(i) a gender-related physical or mental disability which is life-threatening or severely impairs their quality of life,
>
> (ii) a gender-related serious illness which is life-threatening or severely impairs their quality of life, or
>
> (iii) any other gender-related serious medical condition which is life-threatening or severely impairs their quality of life—*[Mark Simmonds.]*

Question put, That the amendment be made:—

The Committee divided: Ayes 149, Noes 318.

Division No. 194] **[9.49 pm**

AYES

Alexander, Danny
Arbuthnot, rh Mr. James
Atkinson, Mr. Peter
Baker, Norman
Baldry, Tony
Bellingham, Mr. Henry
Benyon, Mr. Richard
Beresford, Sir Paul
Binley, Mr. Brian
Blunt, Mr. Crispin
Bone, Mr. Peter
Brady, Mr. Graham
Brazier, Mr. Julian
Brokenshire, James
Brooke, Annette
Browning, Angela
Burns, Mr. Simon
Burrowes, Mr. David
Burstow, Mr. Paul
Burt, Alistair
Burt, Lorely
Campbell, Mr. Gregory
Chope, Mr. Christopher
Cormack, Sir Patrick
Cummings, John
Cunningham, Mr. Jim
Cunningham, Tony
Davey, Mr. Edward
Djanogly, Mr. Jonathan
Dodds, Mr. Nigel
Drew, Mr. David
Duddridge, James
Duncan Smith, rh Mr. Iain
Dunne, Mr. Philip
Evans, Mr. Nigel
Evennett, Mr. David
Fallon, Mr. Michael
Farron, Tim
Field, Mr. Mark
Fitzpatrick, Jim
Fox, Dr. Liam
Francois, Mr. Mark
Garnier, Mr. Edward
Gibb, Mr. Nick
Goodman, Helen
Goodman, Mr. Paul
Gove, Michael
Gray, Mr. James
Green, Damian
Greening, Justine
Grieve, Mr. Dominic
Hammond, Mr. Philip
Hammond, Stephen
Hancock, Mr. Mike
Harper, Mr. Mark
Hayes, Mr. John
Heathcoat-Amory, rh Mr. David
Hendry, Charles
Herbert, Nick
Hoban, Mr. Mark
Hollobone, Mr. Philip
Horam, Mr. John
Hosie, Stewart
Howard, rh Mr. Michael
Howarth, Mr. Gerald
Hughes, Simon
Hunt, Mr. Jeremy
Hurd, Mr. Nick
Jack, rh Mr. Michael
Jackson, Mr. Stewart
Jones, Mr. David
Kaufman, rh Sir Gerald
Kawczynski, Daniel
Khan, Mr. Sadiq
Kilfoyle, Mr. Peter

Kirkbride, Miss Julie
Lansley, Mr. Andrew
Leigh, Mr. Edward
Liddell-Grainger, Mr. Ian
Lidington, Mr. David
Loughton, Tim
Maclean, rh David
MacNeil, Mr. Angus
Main, Anne
Malins, Mr. Humfrey
Marsden, Mr. Gordon
Mates, rh Mr. Michael
Maude, rh Mr. Francis
McAvoy, rh Mr. Thomas
McCrea, Dr. William
McLoughlin, rh Mr. Patrick
Mercer, Patrick
Miller, Mrs. Maria
Milton, Anne
Moss, Mr. Malcolm
Mudie, Mr. George
Mulholland, Greg
Mundell, David
Murphy, Mr. Denis
Newmark, Mr. Brooks
O'Brien, Mr. Stephen
Paisley, rh Rev. Ian
Paterson, Mr. Owen
Penrose, John
Pickles, Mr. Eric
Pope, Mr. Greg
Pound, Stephen
Prentice, Bridget
Prisk, Mr. Mark
Pritchard, Mark
Randall, Mr. John
Redwood, rh Mr. John
Reed, Mr. Andy
Rifkind, rh Sir Malcolm
Robertson, Hugh
Robertson, Mr. Laurence
Robinson, Mrs. Iris
Rowen, Paul
Roy, Mr. Frank
Russell, Bob
Sarwar, Mr. Mohammad
Selous, Andrew
Shepherd, Mr. Richard
Simmonds, Mark
Simpson, David
Simpson, Mr. Keith
Singh, Mr. Marsha
Spelman, Mrs. Caroline
Spicer, Sir Michael
Spring, Mr. Richard
Stanley, rh Sir John
Streeter, Mr. Gary
Stuart, Mr. Graham
Swayne, Mr. Desmond
Taylor, David
Thurso, John
Todd, Mr. Mark
Turner, Mr. Andrew
Twigg, Derek
Walker, Mr. Charles
Waterson, Mr. Nigel
Watkinson, Angela
Willetts, Mr. David
Williams, Mark
Williams, Mr. Roger
Wilson, Mr. Rob
Wood, Mike
Wright, Jeremy
Younger-Ross, Richard

Tellers for the Ayes:
Mike Penning and
Mr. Robert Syms

NOES

Abbott, Ms Diane
Ainsworth, rh Mr. Bob
Alexander, rh Mr. Douglas
Allen, Mr. Graham
Anderson, Mr. David
Armstrong, rh Hilary
Austin, Mr. Ian
Austin, John
Bailey, Mr. Adrian
Balls, rh Ed
Banks, Gordon
Barlow, Ms Celia
Barrett, John
Barron, rh Mr. Kevin
Bayley, Hugh
Beckett, rh Margaret
Begg, Miss Anne
Benn, rh Hilary
Bercow, John
Berry, Roger
Betts, Mr. Clive
Blackman, Liz
Blears, rh Hazel
Borrow, Mr. David S.
Boswell, Mr. Tim
Bradshaw, Mr. Ben
Brake, Tom
Breed, Mr. Colin
Brennan, Kevin
Brown, rh Mr. Gordon
Brown, Lyn
Brown, rh Mr. Nicholas
Brown, Mr. Russell
Browne, rh Des
Browne, Mr. Jeremy
Bruce, rh Malcolm
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burnham, rh Andy
Byers, rh Mr. Stephen
Byrne, Mr. Liam
Cable, Dr. Vincent
Caborn, rh Mr. Richard
Campbell, rh Sir Menzies
Carmichael, Mr. Alistair
Carswell, Mr. Douglas
Cawsey, Mr. Ian
Chaytor, Mr. David
Clapham, Mr. Michael
Clappison, Mr. James
Clark, Greg
Clark, Ms Katy
Clark, Paul
Clarke, rh Mr. Charles
Clegg, rh Mr. Nick
Clelland, Mr. David
Clifton-Brown, Mr. Geoffrey
Coaker, Mr. Vernon
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cooper, Rosie
Cooper, rh Yvette
Corbyn, Jeremy
Cousins, Jim
Cruddas, Jon
Cryer, Mrs. Ann
Curry, rh Mr. David
Darling, rh Mr. Alistair
David, Mr. Wayne
Davidson, Mr. Ian
Davies, Mr. Quentin
Dean, Mrs. Janet
Denham, rh Mr. John
Devine, Mr. Jim
Dhanda, Mr. Parmjit
Dismore, Mr. Andrew
Dobson, rh Frank
Donohoe, Mr. Brian H.
Doran, Mr. Frank
Dorrell, rh Mr. Stephen
Dowd, Jim
Eagle, Angela
Eagle, Maria
Efford, Clive
Ellman, Mrs. Louise
Ennis, Jeff
Featherstone, Lynne
Field, rh Mr. Frank
Fisher, Mark
Flint, rh Caroline
Flynn, Paul
Follett, Barbara
Foster, Mr. Don
Foster, Mr. Michael *(Worcester)*
Foster, Michael Jabez *(Hastings and Rye)*
Francis, Dr. Hywel
Gapes, Mike
Gauke, Mr. David
George, Andrew
Gerrard, Mr. Neil
Gibson, Dr. Ian
Gidley, Sandra
Gilroy, Linda
Godsiff, Mr. Roger
Goggins, Paul
Goldsworthy, Julia
Griffith, Nia
Grogan, Mr. John
Gwynne, Andrew
Hain, rh Mr. Peter
Hall, Mr. Mike
Hall, Patrick
Hamilton, Mr. Fabian
Hanson, rh Mr. David
Harman, rh Ms Harriet
Harris, Dr. Evan
Harvey, Nick
Hemming, John
Hendrick, Mr. Mark
Hepburn, Mr. Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, rh Keith
Hodgson, Mrs. Sharon
Hoey, Kate
Holmes, Paul
Hope, Phil
Hopkins, Kelvin
Horwood, Martin
Howarth, David
Howarth, rh Mr. George
Howells, Dr. Kim
Hughes, rh Beverley
Huhne, Chris
Humble, Mrs. Joan
Hunter, Mark
Iddon, Dr. Brian
Illsley, Mr. Eric
Ingram, rh Mr. Adam
Irranca-Davies, Huw
Jackson, Glenda
James, Mrs. Siân C.
Jenkin, Mr. Bernard
Jenkins, Mr. Brian
Johnson, rh Alan
Johnson, Ms Diana R.
Jones, Helen
Jones, Mr. Kevan
Jones, Lynne
Jones, Mr. Martyn
Jowell, rh Tessa
Keeble, Ms Sally
Keen, Ann
Keetch, Mr. Paul
Kemp, Mr. Fraser
Kennedy, rh Jane
Key, Robert
Kidney, Mr. David
Knight, rh Mr. Greg
Knight, Jim
Kramer, Susan
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Laing, Mrs. Eleanor
Lait, Mrs. Jacqui
Lamb, Norman
Laws, Mr. David
Lazarowicz, Mark
Leech, Mr. John
Lepper, David
Letwin, rh Mr. Oliver
Levitt, Tom
Lewis, Mr. Ivan
Lewis, Dr. Julian
Linton, Martin
Lloyd, Tony
Llwyd, Mr. Elfyn
Love, Mr. Andrew
Lucas, Ian
Mackay, rh Mr. Andrew
Mactaggart, Fiona
Mahmood, Mr. Khalid
Malik, Mr. Shahid
Mallaber, Judy
Mann, John
Marris, Rob
Martlew, Mr. Eric
McCafferty, Chris
McCarthy, Kerry
McCarthy-Fry, Sarah
McDonnell, Dr. Alasdair
McDonnell, John
McFadden, Mr. Pat

McGuire, Mrs. Anne
McIntosh, Miss Anne
McIsaac, Shona
McKechin, Ann
McNulty, rh Mr. Tony
Meacher, rh Mr. Michael
Meale, Mr. Alan
Merron, Gillian
Milburn, rh Mr. Alan
Miliband, rh Edward
Miller, Andrew
Mitchell, Mr. Austin
Moffatt, Laura
Mole, Chris
Moon, Mrs. Madeleine
Moran, Margaret
Morden, Jessica
Morgan, Julie
Mountford, Kali
Mullin, Mr. Chris
Murphy, Mr. Jim
Murrison, Dr. Andrew
Naysmith, Dr. Doug
Norris, Dan
O'Brien, Mr. Mike
O'Hara, Mr. Edward
Oaten, Mr. Mark
Olner, Mr. Bill
Öpik, Lembit
Osborne, Mr. George
Osborne, Sandra
Paice, Mr. James
Palmer, Dr. Nick
Pearson, Ian
Plaskitt, Mr. James
Prentice, Mr. Gordon
Prescott, rh Mr. John
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Mr. Ken
Purnell, rh James
Rammell, Bill
Raynsford, rh Mr. Nick
Reed, Mr. Jamie
Reid, Mr. Alan
Rennie, Willie
Riordan, Mrs. Linda
Robertson, Angus
Robertson, John
Robinson, Mr. Geoffrey
Rogerson, Dan
Rooney, Mr. Terry
Ruddock, Joan
Russell, Bob
Salter, Martin
Seabeck, Alison
Shapps, Grant
Shaw, Jonathan
Sheerman, Mr. Barry
Sheridan, Jim
Simon, Mr. Siôn
Simpson, Alan
Skinner, Mr. Dennis
Slaughter, Mr. Andy

Smith, rh Mr. Andrew
Smith, Ms Angela C.
(Sheffield, Hillsborough)
Smith, Angela E. *(Basildon)*
Smith, Sir Robert
Snelgrove, Anne
Soames, Mr. Nicholas
Soulsby, Sir Peter
Southworth, Helen
Spellar, rh Mr. John
Starkey, Dr. Phyllis
Steen, Mr. Anthony
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Straw, rh Mr. Jack
Stringer, Graham
Stunell, Andrew
Swinson, Jo
Swire, Mr. Hugo
Tami, Mark
Taylor, Ms Dari
Taylor, Matthew
Taylor, Dr. Richard
Thomas, Mr. Gareth
Thornberry, Emily
Timms, rh Mr. Stephen
Tipping, Paddy
Trickett, Jon
Turner, Dr. Desmond
Tyrie, Mr. Andrew
Ussher, Kitty
Vara, Mr. Shailesh
Viggers, Peter
Villiers, Mrs. Theresa
Vis, Dr. Rudi
Wallace, Mr. Ben
Walley, Joan
Waltho, Lynda
Ward, Claire
Webb, Steve
Weir, Mr. Mike
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Mr. Alan
Williams, Mrs. Betty
Williams, Hywel
Williams, Stephen
Willott, Jenny
Wills, Mr. Michael
Wilson, Phil
Winnick, Mr. David
Winterton, rh Ms Rosie
Wishart, Pete
Woolas, Mr. Phil
Wright, Mr. Anthony
Wright, David
Wright, Mr. Iain
Wyatt, Derek
Yeo, Mr. Tim
Young, rh Sir George

Tellers for the Noes:
Mr. Alan Campbell and
Mr. Bob Blizzard

Question accordingly negatived.

Amendment proposed: No. 4, in page 55, leave out lines 30 to 37.—*[Mr. Burrowes.]*

Question put, That the amendment be made:—

The Committee divided: Ayes 163, Noes 342.

Division No. 195] **[10.2 pm**

AYES

Alexander, Danny
Amess, Mr. David
Ancram, rh Mr. Michael
Bacon, Mr. Richard
Battle, rh John
Bell, Sir Stuart
Benton, Mr. Joe
Binley, Mr. Brian
Blunt, Mr. Crispin
Bone, Mr. Peter
Brady, Mr. Graham
Brazier, Mr. Julian
Brooke, Annette
Burns, Mr. Simon
Burrowes, Mr. David
Burt, Alistair
Burt, Lorely
Butler, Ms Dawn
Campbell, Mr. Gregory
Cash, Mr. William
Chapman, Ben
Chope, Mr. Christopher
Clarke, rh Mr. Tom
Cooper, Rosie
Cormack, Sir Patrick
Cox, Mr. Geoffrey
Crausby, Mr. David
Cummings, John
Cunningham, Tony
Davey, Mr. Edward
Dodds, Mr. Nigel
Dorries, Mrs. Nadine
Drew, Mr. David
Duddridge, James
Duncan Smith, rh Mr. Iain
Dunne, Mr. Philip
Durkan, Mark
Evans, Mr. Nigel
Evennett, Mr. David
Fallon, Mr. Michael
Farron, Tim
Field, rh Mr. Frank
Fisher, Mark
Fitzpatrick, Jim
Fox, Dr. Liam
Francois, Mr. Mark
Gillan, Mrs. Cheryl
Goodman, Helen
Goodman, Mr. Paul
Gove, Michael
Gray, Mr. James
Green, Damian
Grieve, Mr. Dominic
Gummer, rh Mr. John
Hamilton, Mr. Fabian
Hammond, Mr. Philip
Hammond, Stephen
Harper, Mr. Mark
Havard, Mr. Dai
Hayes, Mr. John
Heathcoat-Amory, rh
Mr. David
Hemming, John
Hendrick, Mr. Mark
Herbert, Nick
Hermon, Lady
Hesford, Stephen
Hillier, Meg
Hoban, Mr. Mark

Hoey, Kate
Hollobone, Mr. Philip
Holloway, Mr. Adam
Horam, Mr. John
Hosie, Stewart
Howarth, Mr. Gerald
Hoyle, Mr. Lindsay
Hughes, Simon
Hurd, Mr. Nick
Jackson, Mr. Stewart
Jones, Mr. David
Jones, Helen
Kaufman, rh Sir Gerald
Kelly, rh Ruth
Khan, Mr. Sadiq
Kilfoyle, Mr. Peter
Kirkbride, Miss Julie
Leigh, Mr. Edward
Liddell-Grainger, Mr. Ian
Loughton, Tim
Luff, Peter
Mackinlay, Andrew
Maclean, rh David
MacNeil, Mr. Angus
Mahmood, Mr. Khalid
Main, Anne
Malins, Mr. Humfrey
Marris, Rob
May, rh Mrs. Theresa
McAvoy, rh Mr. Thomas
McCrea, Dr. William
McDonnell, Dr. Alasdair
McFall, rh John
McGrady, Mr. Eddie
McLoughlin, rh Mr. Patrick
Meale, Mr. Alan
Mercer, Patrick
Miller, Mrs. Maria
Milton, Anne
Moss, Mr. Malcolm
Mudie, Mr. George
Mulholland, Greg
Mundell, David
Murphy, Mr. Denis
Murphy, Mr. Jim
Murphy, rh Mr. Paul
O'Brien, Mr. Stephen
Owen, Albert
Paisley, rh Rev. Ian
Paterson, Mr. Owen
Penning, Mike
Pickles, Mr. Eric
Pope, Mr. Greg
Pound, Stephen
Prentice, Bridget
Pritchard, Mark
Randall, Mr. John
Redwood, rh Mr. John
Reid, rh John
Robertson, Hugh
Robertson, John
Robertson, Mr. Laurence
Robinson, Mrs. Iris
Rowen, Paul
Roy, Mr. Frank
Ruane, Chris
Sarwar, Mr. Mohammad
Selous, Andrew
Shepherd, Mr. Richard

Simpson, David
Singh, Mr. Marsha
Smith, rh Mr. Andrew
Smith, Geraldine
Spicer, Sir Michael
Spring, Mr. Richard
Stewart, Ian
Streeter, Mr. Gary
Stuart, Ms Gisela
Stuart, Mr. Graham
Swayne, Mr. Desmond
Teather, Sarah
Todd, Mr. Mark
Touhig, rh Mr. Don
Turner, Mr. Andrew
Twigg, Derek
Walker, Mr. Charles
Wareing, Mr. Robert N.
Waterson, Mr. Nigel*
Watkinson, Angela
Weir, Mr. Mike
Widdecombe, rh Miss Ann
Williams, Mark
Williams, Mr. Roger
Wilson, Sammy
Wright, Jeremy

Tellers for the Ayes:
David Taylor and
Daniel Kawczynski

NOES

Abbott, Ms Diane
Ainsworth, rh Mr. Bob
Alexander, rh Mr. Douglas
Allen, Mr. Graham
Anderson, Mr. David
Arbuthnot, rh Mr. James
Armstrong, rh Hilary
Atkinson, Mr. Peter
Austin, Mr. Ian
Austin, John
Bailey, Mr. Adrian
Baker, Norman
Baldry, Tony
Balls, rh Ed
Banks, Gordon
Barlow, Ms Celia
Barrett, John
Barron, rh Mr. Kevin
Bayley, Hugh
Beckett, rh Margaret
Begg, Miss Anne
Benn, rh Hilary
Benyon, Mr. Richard
Bercow, John
Beresford, Sir Paul
Berry, Roger
Betts, Mr. Clive
Blackman, Liz
Blears, rh Hazel
Blunkett, rh Mr. David
Borrow, Mr. David S.
Boswell, Mr. Tim
Bradshaw, Mr. Ben
Brake, Tom
Breed, Mr. Colin
Brennan, Kevin
Brokenshire, James
Brown, rh Mr. Gordon
Brown, Lyn
Brown, rh Mr. Nicholas
Brown, Mr. Russell
Browne, rh Des
Browne, Mr. Jeremy
Bruce, rh Malcolm
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burnham, rh Andy
Burstow, Mr. Paul
Byers, rh Mr. Stephen
Byrne, Mr. Liam
Cable, Dr. Vincent
Caborn, rh Mr. Richard
Campbell, rh Sir Menzies
Carmichael, Mr. Alistair
Carswell, Mr. Douglas
Cawsey, Mr. Ian
Chaytor, Mr. David
Clapham, Mr. Michael
Clappison, Mr. James
Clark, Greg
Clark, Ms Katy
Clark, Paul
Clarke, rh Mr. Charles
Clegg, rh Mr. Nick
Clelland, Mr. David
Clifton-Brown, Mr. Geoffrey
Coaker, Mr. Vernon
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cooper, rh Yvette
Corbyn, Jeremy
Cousins, Jim
Cruddas, Jon
Cryer, Mrs. Ann
Cunningham, Mr. Jim
Curry, rh Mr. David
Darling, rh Mr. Alistair
David, Mr. Wayne
Davidson, Mr. Ian
Davies, Mr. Quentin
Dean, Mrs. Janet
Denham, rh Mr. John
Devine, Mr. Jim
Dhanda, Mr. Parmjit
Dismore, Mr. Andrew
Djanogly, Mr. Jonathan
Dobson, rh Frank
Donohoe, Mr. Brian H.
Doran, Mr. Frank
Dorrell, rh Mr. Stephen
Dowd, Jim
Eagle, Angela
Eagle, Maria
Efford, Clive
Ellman, Mrs. Louise
Ennis, Jeff
Featherstone, Lynne
Field, Mr. Mark
Flint, rh Caroline
Flynn, Paul
Follett, Barbara
Foster, Mr. Don
Foster, Mr. Michael
(Worcester)
Foster, Michael Jabez
(Hastings and Rye)
Francis, Dr. Hywel
Gapes, Mike
Garnier, Mr. Edward
Gauke, Mr. David
George, Andrew
Gerrard, Mr. Neil
Gibb, Mr. Nick
Gibson, Dr. Ian
Gidley, Sandra
Gilroy, Linda
Godsiff, Mr. Roger
Goggins, Paul
Goldsworthy, Julia
Greening, Justine
Griffith, Nia
Griffiths, Nigel
Grogan, Mr. John
Gwynne, Andrew
Hain, rh Mr. Peter
Hall, Mr. Mike
Hall, Patrick
Hancock, Mr. Mike
Hanson, rh Mr. David
Harman, rh Ms Harriet
Harris, Dr. Evan
Harvey, Nick
Hemming, John
Hendry, Charles
Hepburn, Mr. Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, rh Keith
Hodgson, Mrs. Sharon
Holmes, Paul
Hope, Phil
Hopkins, Kelvin
Horwood, Martin
Howard, rh Mr. Michael
Howarth, rh Mr. George
Howells, Dr. Kim
Hughes, rh Beverley
Huhne, Chris
Humble, Mrs. Joan
Hunt, Mr. Jeremy
Hunter, Mark
Iddon, Dr. Brian
Illsley, Mr. Eric
Ingram, rh Mr. Adam
Irranca-Davies, Huw
Jackson, Glenda
Jackson, Mr. Stewart
James, Mrs. Siân C.
Jenkin, Mr. Bernard
Jenkins, Mr. Brian
Johnson, rh Alan
Johnson, Ms Diana R.
Jones, Mr. Kevan
Jones, Lynne
Jones, Mr. Martyn
Jowell, rh Tessa
Keeble, Ms Sally
Keen, Ann
Keetch, Mr. Paul
Kemp, Mr. Fraser
Kennedy, rh Jane
Key, Robert
Kidney, Mr. David
Knight, rh Mr. Greg
Knight, Jim
Kramer, Susan
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Laing, Mrs. Eleanor
Lait, Mrs. Jacqui
Lamb, Norman
Lansley, Mr. Andrew
Laws, Mr. David
Lazarowicz, Mark
Leech, Mr. John
Lepper, David
Letwin, rh Mr. Oliver
Levitt, Tom
Lewis, Mr. Ivan
Lewis, Dr. Julian
Lidington, Mr. David
Linton, Martin
Lloyd, Tony
Llwyd, Mr. Elfyn
Love, Mr. Andrew
Lucas, Ian
Mackay, rh Mr. Andrew
Mactaggart, Fiona
Malik, Mr. Shahid
Mallaber, Judy
Mann, John
Maples, Mr. John
Marlew, Mr. Eric
Mates, rh Mr. Michael
Maude, rh Mr. Francis
McCafferty, Chris
McCarthy, Kerry
McCarthy-Fry, Sarah
McDonnell, John
McFadden, Mr. Pat
McGuire, Mrs. Anne
McIntosh, Miss Anne
McIsaac, Shona
McKechin, Ann
McNulty, rh Mr. Tony
Meacher, rh Mr. Michael
Merron, Gillian
Milburn, rh Mr. Alan
Miliband, rh Edward
Miller, Andrew
Mitchell, Mr. Austin
Moffatt, Laura
Mole, Chris
Moon, Mrs. Madeleine
Moran, Margaret
Morden, Jessica
Morgan, Julie
Mountford, Kali
Mullin, Mr. Chris
Murrison, Dr. Andrew
Naysmith, Dr. Doug
Newmark, Mr. Brooks
Norris, Dan
O'Brien, Mr. Mike
O'Hara, Mr. Edward
Oaten, Mr. Mark
Öpik, Lembit
Osborne, Mr. George
Osborne, Sandra
Paice, Mr. James
Palmer, Dr. Nick
Pearson, Ian
Penrose, John
Plaskitt, Mr. James
Prentice, Mr. Gordon
Prescott, rh Mr. John
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Mr. Ken
Purnell, rh James

Rammell, Bill
Raynsford, rh Mr. Nick
Reed, Mr. Andy
Reed, Mr. Jamie
Reid, Mr. Alan
Rennie, Willie
Rifkind, rh Sir Malcolm
Riordan, Mrs. Linda
Robertson, Angus
Robinson, Mr. Geoffrey
Rogerson, Dan
Rooney, Mr. Terry
Ruddock, Joan
Russell, Bob
Salter, Martin
Seabeck, Alison
Shapps, Grant
Shaw, Jonathan
Sheerman, Mr. Barry
Sheridan, Jim
Simmonds, Mark
Simon, Mr. Siôn
Simpson, Alan
Simpson, Mr. Keith
Skinner, Mr. Dennis
Slaughter, Mr. Andy
Smith, Ms Angela C. *(Sheffield, Hillsborough)*
Smith, Angela E. *(Basildon)*
Smith, Sir Robert
Snelgrove, Anne
Soames, Mr. Nicholas
Soulsby, Sir Peter
Southworth, Helen
Spellar, rh Mr. John
Stanley, rh Sir John
Starkey, Dr. Phyllis
Steen, Mr. Anthony
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Straw, rh Mr. Jack
Stringer, Graham
Stunell, Andrew
Swinson, Jo
Swire, Mr. Hugo
Syms, Mr. Robert
Tami, Mark
Taylor, Ms Dari
Taylor, Matthew
Taylor, Dr. Richard
Thomas, Mr. Gareth
Thornberry, Emily
Thurso, John
Timms, rh Mr. Stephen
Tipping, Paddy
Trickett, Jon
Turner, Dr. Desmond
Tyrie, Mr. Andrew
Ussher, Kitty
Vaizey, Mr. Edward
Vara, Mr. Shailesh
Viggers, Peter
Villiers, Mrs. Theresa
Vis, Dr. Rudi
Wallace, Mr. Ben
Walley, Joan
Waltho, Lynda
Ward, Claire
Webb, Steve
Whitehead, Dr. Alan
Wicks, Malcolm
Wiggin, Bill
Willetts, Mr. David
Williams, rh Mr. Alan
Williams, Mrs. Betty
Williams, Hywel
Williams, Stephen
Willott, Jenny
Wills, Mr. Michael
Wilson, Phil
Wilson, Mr. Rob
Winnick, Mr. David
Winterton, rh Ms Rosie
Wishart, Pete
Wood, Mike
Woolas, Mr. Phil
Wright, Mr. Anthony
Wright, David
Wright, Mr. Iain
Wright, Dr. Tony
Wyatt, Derek
Yeo, Mr. Tim
Young, rh Sir George

Tellers for the Noes:
Mr. Bob Blizzard and
Mr. Alan Campbell

Question accordingly negatived.

Amendment proposed: No. 18, in page 55, line 35, after 'other', insert 'regenerative'.—*[Mark Simmonds.]*

The House divided: Ayes 200, Noes 293.

Division No. 196] **[10.16 pm**

AYES

Alexander, Danny
Amess, Mr. David
Ancram, rh Mr. Michael
Arbuthnot, rh Mr. James
Bacon, Mr. Richard
Baldry, Tony
Battle, rh John
Bell, Sir Stuart
Bellingham, Mr. Henry
Benton, Mr. Joe
Benyon, Mr. Richard
Binley, Mr. Brian
Bone, Mr. Peter
Boswell, Mr. Tim
Brady, Mr. Graham
Brazier, Mr. Julian
Brokenshire, James
Brooke, Annette
Browning, Angela
Burns, Mr. Simon
Burrowes, Mr. David
Burstow, Mr. Paul
Burt, Alistair
Burt, Lorely
Butler, Ms Dawn
Byrne, Mr. Liam
Campbell, Mr. Gregory
Cash, Mr. William
Chapman, Ben
Chope, Mr. Christopher
Clark, Greg
Clarke, rh Mr. Tom
Cooper, Rosie
Cox, Mr. Geoffrey
Crausby, Mr. David
Cruddas, Jon
Cunningham, Mr. Jim
Cunningham, Tony
Davey, Mr. Edward
Davis, rh David *(Haltemprice and Howden)*
Djanogly, Mr. Jonathan
Dodds, Mr. Nigel
Dorries, Mrs. Nadine
Drew, Mr. David
Duddridge, James
Duncan Smith, rh Mr. Iain
Dunne, Mr. Philip
Durkan, Mark
Evans, Mr. Nigel
Evennett, Mr. David
Fallon, Mr. Michael
Farron, Tim
Field, Mr. Mark
Fisher, Mark
Fitzpatrick, Jim
Francois, Mr. Mark
Garnier, Mr. Edward
Gibb, Mr. Nick
Goodman, Helen
Goodman, Mr. Paul
Gove, Michael
Gray, Mr. James
Green, Damian
Grieve, Mr. Dominic
Griffiths, Nigel
Grogan, Mr. John
Gummer, rh Mr. John
Hamilton, Mr. Fabian
Hammond, Mr. Philip
Hammond, Stephen
Hancock, Mr. Mike
Harper, Mr. Mark
Havard, Mr. Dai
Hayes, Mr. John
Heathcoat-Amory, rh Mr. David
Hemming, John
Hendrick, Mr. Mark
Hendry, Charles
Herbert, Nick
Hermon, Lady
Hillier, Meg
Hoban, Mr. Mark
Hollobone, Mr. Philip
Holloway, Mr. Adam
Horam, Mr. John
Hosie, Stewart
Howard, rh Mr. Michael
Howarth, Mr. Gerald
Hoyle, Mr. Lindsay
Hughes, Simon
Hunt, Mr. Jeremy
Hunter, Mark
Hurd, Mr. Nick
Jackson, Mr. Stewart
Jones, Mr. David
Jones, Helen
Kaufman, rh Sir Gerald
Kawczynski, Daniel
Kelly, rh Ruth
Khan, Mr. Sadiq
Kilfoyle, Mr. Peter
Kirkbride, Miss Julie
Laing, Mrs. Eleanor
Lansley, Mr. Andrew
Leigh, Mr. Edward
Liddell-Grainger, Mr. Ian
Lidington, Mr. David
Loughton, Tim
Luff, Peter
Mackinlay, Andrew
Maclean, rh David
MacNeil, Mr. Angus
Mahmood, Mr. Khalid
Main, Anne
Malins, Mr. Humfrey
Marris, Rob
Mates, rh Mr. Michael
Maude, rh Mr. Francis
McAvoy, rh Mr. Thomas
McCrea, Dr. William
McDonnell, Dr. Alasdair
McFall, rh John
McGrady, Mr. Eddie
McLoughlin, rh Mr. Patrick
Meale, Mr. Alan
Mercer, Patrick
Miller, Mrs. Maria
Milton, Anne
Moss, Mr. Malcolm
Mudie, Mr. George
Mulholland, Greg
Mundell, David
Murphy, Mr. Jim
Murphy, rh Mr. Paul
Newmark, Mr. Brooks
O'Brien, Mr. Stephen
Owen, Albert
Paisley, rh Rev. Ian
Paterson, Mr. Owen
Pelling, Mr. Andrew
Penrose, John
Pickles, Mr. Eric
Pope, Mr. Greg
Pound, Stephen
Prentice, Bridget
Prisk, Mr. Mark
Pritchard, Mark
Pugh, Dr. John
Randall, Mr. John
Redwood, rh Mr. John
Reid, Mr. Alan
Reid, rh John
Rifkind, rh Sir Malcolm
Robertson, Hugh
Robertson, John
Robertson, Mr. Laurence
Robinson, Mrs. Iris
Rogerson, Dan
Rowen, Paul
Roy, Mr. Frank
Russell, Bob
Sarwar, Mr. Mohammad
Selous, Andrew
Shepherd, Mr. Richard
Simmonds, Mark
Simpson, David
Smith, rh Mr. Andrew
Smith, Geraldine

Spicer, Sir Michael
Spring, Mr. Richard
Stanley, rh Sir John
Stewart, Ian
Streeter, Mr. Gary
Stuart, Mr. Graham
Swayne, Mr. Desmond
Swinson, Jo
Swire, Mr. Hugo
Taylor, David
Teather, Sarah
Thurso, John
Todd, Mr. Mark
Touhig, rh Mr. Don
Trickett, Jon
Turner, Mr. Andrew
Twigg, Derek
Walker, Mr. Charles
Wallace, Mr. Ben
Wareing, Mr. Robert N.
Waterson, Mr. Nigel
Watkinson, Angela
Webb, Steve
Weir, Mr. Mike
Widdecombe, rh Miss Ann
Williams, Mark
Williams, Mr. Roger
Wilson, Mr. Rob
Wilson, Sammy
Wood, Mike
Wright, Jeremy
Yeo, Mr. Tim

Tellers for the Ayes:
Mr. Robert Syms and
Mike Penning

NOES

Abbott, Ms Diane
Ainsworth, rh Mr. Bob
Alexander, rh Mr. Douglas
Allen, Mr. Graham
Anderson, Mr. David
Armstrong, rh Hilary
Atkinson, Mr. Peter
Austin, Mr. Ian
Austin, John
Bailey, Mr. Adrian
Baker, Norman
Balls, rh Ed
Banks, Gordon
Barlow, Ms Celia
Barrett, John
Barron, rh Mr. Kevin
Bayley, Hugh
Beckett, rh Margaret
Begg, Miss Anne
Benn, rh Hilary
Bercow, John
Beresford, Sir Paul
Berry, Roger
Betts, Mr. Clive
Blackman, Liz
Blears, rh Hazel
Blunkett, rh Mr. David
Blunt, Mr. Crispin
Borrow, Mr. David S.
Bradshaw, Mr. Ben
Brake, Tom
Breed, Mr. Colin
Brennan, Kevin
Brown, rh Mr. Gordon
Brown, Lyn
Brown, rh Mr. Nicholas
Brown, Mr. Russell
Browne, rh Des
Browne, Mr. Jeremy
Bruce, rh Malcolm
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burnham, rh Andy
Byers, rh Mr. Stephen
Cable, Dr. Vincent
Caborn, rh Mr. Richard
Campbell, rh Sir Menzies
Carmichael, Mr. Alistair
Carswell, Mr. Douglas
Cawsey, Mr. Ian
Chaytor, Mr. David
Clapham, Mr. Michael
Clappison, Mr. James
Clark, Ms Katy
Clark, Paul
Clarke, rh Mr. Charles
Clegg, rh Mr. Nick
Clelland, Mr. David
Clifton-Brown, Mr. Geoffrey
Coaker, Mr. Vernon
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cooper, rh Yvette
Corbyn, Jeremy
Cousins, Jim
Cryer, Mrs. Ann
Curry, rh Mr. David
David, Mr. Wayne
Davidson, Mr. Ian
Davies, Mr. Quentin
Dean, Mrs. Janet
Denham, rh Mr. John
Devine, Mr. Jim
Dhanda, Mr. Parmjit
Dismore, Mr. Andrew
Dobson, rh Frank
Donohoe, Mr. Brian H.
Doran, Mr. Frank
Dorrell, rh Mr. Stephen
Dowd, Jim
Eagle, Angela
Eagle, Maria
Efford, Clive
Ellman, Mrs. Louise
Ennis, Jeff
Featherstone, Lynne
Flint, rh Caroline
Flynn, Paul
Follett, Barbara
Foster, Mr. Michael
(Worcester)
Foster, Michael Jabez
(Hastings and Rye)
Francis, Dr. Hywel
Gapes, Mike
Gauke, Mr. David
George, Andrew
Gerrard, Mr. Neil
Gibson, Dr. Ian
Gidley, Sandra
Gilroy, Linda
Godsiff, Mr. Roger
Goggins, Paul
Goldsworthy, Julia
Greening, Justine
Griffith, Nia
Gwynne, Andrew
Hain, rh Mr. Peter
Hall, Mr. Mike
Hall, Patrick
Hanson, rh Mr. David
Harman, rh Ms Harriet
Harris, Dr. Evan
Harvey, Nick
Hepburn, Mr. Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, rh Keith
Hodgson, Mrs. Sharon
Holmes, Paul
Hope, Phil
Hopkins, Kelvin
Horwood, Martin
Howarth, rh Mr. George
Howells, Dr. Kim
Hughes, rh Beverley
Huhne, Chris
Humble, Mrs. Joan
Iddon, Dr. Brian
Illsley, Mr. Eric
Ingram, rh Mr. Adam
Irranca-Davies, Huw
Jack, rh Mr. Michael
Jackson, Glenda
James, Mrs. Siân C.
Jenkin, Mr. Bernard
Jenkins, Mr. Brian
Johnson, rh Alan
Johnson, Ms Diana R.
Jones, Mr. Kevan
Jones, Lynne
Jones, Mr. Martyn
Jowell, rh Tessa
Keeble, Ms Sally
Keen, Ann
Keetch, Mr. Paul
Kemp, Mr. Fraser
Kennedy, rh Jane
Key, Robert
Kidney, Mr. David
Knight, rh Mr. Greg
Knight, Jim
Kramer, Susan
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lait, Mrs. Jacqui
Lamb, Norman
Laws, Mr. David
Lazarowicz, Mark
Leech, Mr. John
Lepper, David
Letwin, rh Mr. Oliver
Levitt, Tom
Lewis, Mr. Ivan
Linton, Martin
Lloyd, Tony
Llwyd, Mr. Elfyn
Love, Mr. Andrew
Lucas, Ian
Mackay, rh Mr. Andrew
Mactaggart, Fiona
Malik, Mr. Shahid
Mallaber, Judy
Mann, John
Maples, Mr. John
Martlew, Mr. Eric
McCafferty, Chris
McCarthy, Kerry
McCarthy-Fry, Sarah
McDonnell, John
McFadden, Mr. Pat
McGuire, Mrs. Anne
McIntosh, Miss Anne
McIsaac, Shona
McKechin, Ann
McNulty, rh Mr. Tony
Meacher, rh Mr. Michael
Merron, Gillian
Milburn, rh Mr. Alan
Miliband, rh Edward
Miller, Andrew
Mitchell, Mr. Austin
Moffatt, Laura
Mole, Chris
Moon, Mrs. Madeleine
Moran, Margaret
Morden, Jessica
Morgan, Julie
Mountford, Kali
Mullin, Mr. Chris
Murrison, Dr. Andrew
Naysmith, Dr. Doug
Norris, Dan
O'Brien, Mr. Mike
O'Hara, Mr. Edward
Öpik, Lembit
Osborne, Mr. George
Osborne, Sandra
Palmer, Dr. Nick
Pearson, Ian
Plaskitt, Mr. James
Prentice, Mr. Gordon
Prescott, rh Mr. John
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Mr. Ken
Purnell, rh James
Rammell, Bill
Raynsford, rh Mr. Nick
Reed, Mr. Jamie
Rennie, Willie
Riordan, Mrs. Linda
Robertson, Angus
Robinson, Mr. Geoffrey
Rooney, Mr. Terry
Ruddock, Joan
Salter, Martin
Seabeck, Alison
Shapps, Grant
Shaw, Jonathan
Sheerman, Mr. Barry
Sheridan, Jim
Simon, Mr. Siôn
Simpson, Alan
Simpson, Mr. Keith
Skinner, Mr. Dennis
Slaughter, Mr. Andy
Smith, Ms Angela C.
(Sheffield, Hillsborough)
Smith, Angela E. *(Basildon)*
Smith, Sir Robert
Snelgrove, Anne
Soames, Mr. Nicholas
Soulsby, Sir Peter

Southworth, Helen
Spellar, rh Mr. John
Starkey, Dr. Phyllis
Steen, Mr. Anthony
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Straw, rh Mr. Jack
Stringer, Graham
Stunell, Andrew
Tami, Mark
Taylor, Ms Dari
Taylor, Matthew
Taylor, Dr. Richard
Thomas, Mr. Gareth
Thornberry, Emily
Timms, rh Mr. Stephen
Tipping, Paddy
Turner, Dr. Desmond
Tyrie, Mr. Andrew
Ussher, Kitty
Vaizey, Mr. Edward
Vara, Mr. Shailesh
Viggers, Peter
Villiers, Mrs. Theresa
Vis, Dr. Rudi
Walley, Joan
Waltho, Lynda
Ward, Claire
Whitehead, Dr. Alan
Wicks, Malcolm
Wiggin, Bill
Willetts, Mr. David
Williams, rh Mr. Alan
Williams, Mrs. Betty
Williams, Hywel
Williams, Stephen
Willott, Jenny
Wills, Mr. Michael
Wilson, Phil
Winnick, Mr. David
Winterton, rh Ms Rosie
Wishart, Pete
Woolas, Mr. Phil
Wright, Mr. Anthony
Wright, David
Wright, Mr. Iain
Wright, Dr. Tony
Wyatt, Derek
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Noes:
Mr. Alan Campbell and
Mr. Bob Blizzard

Question accordingly negatived.

Amendments made: No. 36, page 57, leave out lines 37 to 41 and insert—

> '(a) bringing about the creation of human admixed embryos in vitro, and
>
> (b) keeping or using human admixed embryos,'.

No. 37, page 58, leave out lines 3 to 10.

No. 38, page 58, leave out lines 17 to 19.

No. 39, page 58, line 21, leave out ', (3) or (5)' and insert 'or (3)'.—*[Ms Diana R. Johnson.]*

Schedule 2, as amended, agreed to.

To report progress and ask leave to sit again.—*[Liz Blackman.]*

Committee report progress; to sit again tomorrow.

COMMITTEES

Mr. Deputy Speaker (Sir Alan Haselhurst): With the leave of the House, I shall take motions 2 and 3 together.

Procedure

Ordered,

That Mr Rob Wilson be discharged from the Procedure Committee and Mr Mark Field be added.

Tax Law Rewrite Bills (Joint Committee)

Ordered,

That Mr Nick Clegg be discharged from the Joint Committee on Tax Law Rewrite Bills and Mr Colin Breed be added.—*[Mr. Nicholas Brown, on behalf of the Committee of Selection.]*

PETITION

Family Courts (Reform)

10.28 pm

John Hemming (Birmingham, Yardley) (LD): This petition is an interesting one, because the driving force behind it was a great grandfather, Mr. Phil Thompson, who was bewildered as to why his great grandchildren were taken out of the family. After some difficult effort, we found out the low level of threshold that was required, and hence we have the following petition:

The Petition of the O'Gorman Family,

Declares that a case in the Family Court has highlighted an injustice in the current system. The three children of Philip O'Gorman have been put up for adoption because it is alleged one of them missed some days in school, some medical appointments were missed, they were seen to be dirty and unkempt and that they would not cooperate with social services. The family contest the allegations, and believe that neither of these allegations is sufficient to warrant children being forcibly adopted into another family. The petitioners further believe that these actions were driven by a desire to increase the numbers of children adopted rather than to protect the children concerned. The petitioners believe that the response of the authorities was totally disproportionate in this case.

The Petitioners therefore request that the House of Commons urges the Government to legislate to prevent courts from accepting these arguments as sufficient cause to forcibly remove children from their birth families and ensure that parents are facilitated to contest the allegations made by the authorities

And the Petitioners remain, etc.

[P000196]

General Practitioner Dispensing

Motion made, and Question proposed, That this House do now adjourn.—*[Liz Blackman.]*

10.30 pm

Tony Baldry (Banbury) (Con): I have given the Minister prior notice of exactly what I intend to say to enable him better to respond directly to the points that I shall raise.

I need to put my concerns about the future of GP dispensing into the context of two broader points. The first is that my constituents are becoming increasingly angry and frustrated about what they see as a persistent attack by this Government on local services. Locally, we have seen post office closures, and we have been spared the closure of our local, consultant-led maternity unit and 24/7 children's wards at the Horton hospital thanks only to the intervention of the independent reconfiguration panel. Not surprisingly, my constituents are constantly asking what next public or community service will be taken away from them.

One of my constituents wrote to ask me to oppose the pharmacy White Paper, asking

> "why is this Government so determined to destroy all quality of life for rural inhabitants? This village has lost its Post Office, and consequently its shop, is shortly to lose our next nearest Post Office, now our dispensary service is under threat. What will they destroy next?"

Secondly, this debate has to be seen in the context of the Government's professed commitment to give NHS patients greater choice. After all, the Government have spent considerable amounts of money on ensuring that GPs have choose and book systems, the better to allow patients choice as to where they are treated. Indeed, last week, the Prime Minister in his statement on the draft legislative programme said:

> "It is right to make it"—

the NHS—

> "more accountable to local people, giving patients real power and control over the service they receive."—[*Official Report*, 14 May 2008; Vol. 475, c. 1387.]

If the Government genuinely want to give patients real power and control over services they receive, the least the Government could do is to allow people the freedom to decide where they would like their prescriptions dispensed.

At the moment, there are some 5,872 dispensing doctors in the UK in 1,365 practices. Overall, they look after more than 8 million patients, of whom 3.5 million are dispensing patients. For reasons that I shall explain, these GPs mainly have rural practices. They provide the enormous benefit that patients can visit their GP and, at one and the same place, have their drugs both prescribed and dispensed. That service is being threatened by the Government.

Mr. Colin Breed (South-East Cornwall) (LD): I wish to reinforce the point that the hon. Gentleman is making. This debate has come to the attention of doctors in Cornwall and today I received an e-mail from Dr. Mark McCartney, who says:

> "A new issue has arisen with the Pharmacy Bill which aims to end GP dispensing, another threat which may harm rural practices and services to patients, including small chemist shops as well as the GP's own dispensaries."

His whole practice, in Pensilva in my constituency, is very concerned.

Tony Baldry: There are dispensing practices throughout England that are very concerned because it would seem that the Government wish to give pharmacies a monopoly on dispensing.

There is, I suspect, some history that needs to be understood. When the NHS was set up, its establishment was a huge undertaking and no doubt required a number of political compromises with a range of groups involved in health care including GPs and pharmacists. I suspect that the big retail chemist chains such as Boots said that they would co-operate with its establishment only if they were given a monopoly of prescribing drugs in urban areas. Almost from the NHS's inception, therefore, pharmacies had a monopoly on dispensing drugs in urban areas.

Since then, almost every other similar professional monopoly has long been discarded. One only has to think of the revolution in eye care and opticians that occurred when opticians' monopoly to sell spectacles was taken away. However, the Government not only intend to retain the pharmacies' monopoly on dispensing, but are clearly intent on strengthening that monopoly, as evidenced in the White Paper "Pharmacy in England", which the Department chose to publish during the Easter recess, so it did not get the publicity that it perhaps deserved.

The existing dispensing rules already lead to some fairly ludicrous results. Here, I declare some interests. I live in the village of Bloxham, in my constituency. It is some 4 miles from Banbury, dominated by the spire of its parish church. It is a self-contained village, surrounded by fields for some considerable distance. It is perhaps one of the few villages in England that is so much a village that the Warriner school in Bloxham even has its own school farm. The village has a very good GP practice and surgery, which also has a dispensary, so that patients who attend Bloxham surgery can also have their drugs dispensed there. I am a registered patient at that surgery, although I have to say that I am a very infrequent visitor, as whenever Dr. Martin Harris, my GP, sees me, he rightly tells me that I need to lose a couple of stone in weight.

A pharmacy chain has applied to open a chemist shop in Bloxham. I am sure that residents of Bloxham and the surrounding villages will be genuinely delighted if a chemist shop is opened in Bloxham. The village is fortunate in having a diverse range of local shops and a chemist shop would be genuinely welcome. However, under the existing rules, the application by a pharmacy to open in Bloxham was a trigger for the primary care trust to review whether Bloxham continues to be a rural area. If an organisation called the NHS Litigation Authority decrees it to be an urban area, any incoming pharmacist who sets up will be given a complete monopoly on dispensing and the GP practice will no longer be allowed to dispense drugs for Bloxham residents. That might also lead to the GP practice being forced to cease dispensing before the proposed new pharmacy has been established.

The definition of what is rural is left to the individual primary care trust, but it is usually considered to be an area surrounded by open land with a limited number of shops or other facilities and poor transport infrastructure.

[Tony Baldry]

The decision is subject to appeal, and an oral hearing has been scheduled by the NHS Litigation Authority in July. Once determined, there is no further appeal short of judicial review, and the decision stands for five years unless there is a major change in circumstances. Bizarrely, should it be determined that Bloxham is no longer rural, the GP practice will be allowed to continue to dispense drugs to patients in other villages such as Barford St. Michael or Milcombe, but not Bloxham—until the provisions of the Government's White Paper in due course kick in.

Put shortly, under the existing rules GPs may not dispense to patients who live within 1.6 km of a pharmacy or who are deemed to live in a non-rural area. Almost everyone living in Bloxham considers that being told by the Government that they no longer live in a village is pretty crazy. But what really causes offence is the thought that they will no longer have any choice as to where their drugs are dispensed, and that they will be compelled, whether they like it or not, to go to a new chemist to get their drugs dispensed. Bloxham residents are concerned that they will no longer be able to get their drugs dispensed by their own GP, as in the past, notwithstanding that that is far more convenient and that they only need to park once—parking at the GP's surgery is considerably easier than having to park near the shops in Bloxham. Why not give patients choice?

Mr. Edward Vaizey (Wantage) (Con): I congratulate my hon. Friend on securing the debate. I represent the south of Oxfordshire in Wantage and I have been inundated with letters on the matter. Does my hon. Friend agree that choice is the key issue? My constituents focus on the point that although it might be right to relax the rules regarding pharmacies so that they can dispense more drugs and give some medical advice, it is wrong as a quid pro quo to close down GPs' dispensaries. My constituents simply want choice, and surely that is what they should be given so that they can continue to use the dispensary if they so choose.

Tony Baldry: I agree entirely with my hon. Friend. The Government say that they are keen to give NHS patients as much choice as possible, so why not give them choice about where they have their drugs dispensed? Why take away patients' ability to have their drugs dispensed at their GP surgery if they so wish? It seems that the Government will allow choice in the NHS when it suits them, and will not when it does not. Is it simply that the Government wish to give the impression of choice, freedom and new regulation, when in reality they are being increasingly dirigiste?

One rationale given in the White Paper for the proposals was that present regulations do not take into account the distance that a patient must travel between the GP surgery and the chemist. The new proposals fail to address that, as the new regulations would still be unable to account for the distance a patient has to travel between their surgery, their home and the pharmacy. The solution proposed in the White Paper would simply result in fewer patients receiving the service.

I thought that the proposal to prevent the Bloxham GPs from dispensing drugs to local people was one of the crazier decisions that I had come across during my 25 years as a Member of Parliament, and so I asked the Office of Fair Trading if it would investigate what on the face of it seemed to be simply a strengthening of the monopoly against the interests of consumers. *[Interruption.]* It may be for the convenience of the House—*[Interruption.]*

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I am sorry to interrupt the hon. Gentleman, but I must say to the hon. Member for Romsey (Sandra Gidley) that we do not usually accept interventions from Front Benchers during an Adjournment debate, and certainly not from a sedentary position.

Tony Baldry: It may be for the convenience of the House, and of the hon. Member for Romsey (Sandra Gidley), to listen to the response I received from John Fingleton, the chief executive of the OFT, which is dated 28 April 2008. It reads:

> "Thank you for your letter of 28th March with enclosures...requesting that the OFT consider your concerns about the monopoly community pharmacies have under pharmaceutical regulations in dispensing drugs in 'urban' areas, which you consider is against consumers' interests. You ask that the OFT refers the matter to the Competition Commission to investigate.
>
> To be clear, the OFT does have powers to refer markets in which we consider competition problems to exist to the Competition Commission for investigation. But as an alternative, and where more appropriate, we can also make recommendations to the Government for changes in existing...regulations.
>
> In fact it was using these powers that in 2003 we investigated the role of community pharmacies in dispensing drugs. Our Report 'The Control of Entry Regulations and Retail Pharmacy Services in the UK' recommended liberalising the pharmacy market to allow any registered pharmacy with qualified staff to dispense NHS prescriptions.
>
> Our investigation concluded that deregulation would give consumers greater choice, provide more competition and better access to pharmacy services.
>
> We note your concerns about the monopoly position of community pharmacies in urban areas and the situation which may arise in Bloxham where consumers previously using the General Practitioners' surgery dispenser may have to travel a distance to access the nearest pharmacy. We strongly believe consumers, particularly the elderly and infirm, should be able to obtain their drugs with utmost convenience, whether that be from a surgery dispenser or a community pharmacy and we hope this continues to be so in your area.
>
> The Government response to our Report did not feel deregulation as the best course of action and it decided to modify the entry control regulations rather than abolish them. It has since developed far-reaching plans for reshaping the NHS and as you know polyclinics are part of these plans...our view remains that the retail pharmacy market should be liberalised and the Government is aware of this."

Let us be clear about what is being said. The Office of Fair Trading is the organisation established by Parliament, by statute, to protect the interests of consumers. The OFT has made recommendations to the Government that it believes would give consumers

> "greater choice...more competition and better access to pharmacy services".

The Government have ignored the OFT.

The OFT believes that consumers,

> "particularly the elderly and infirm, should be able to obtain their drugs with utmost convenience, whether that be from a surgery dispenser or a community pharmacy".

Not only have the Government ignored the OFT, but they are, as I shall explain, going in exactly the opposite direction.

The Government's White Paper, "Pharmacy in England", was published during the Easter recess, as I mentioned earlier. Proposals in the White Paper, if implemented, would mean that any GP surgery with more than about 3,000 registered patients would not be able to dispense drugs. No GP surgery with a chemist within a mile of the surgery would be allowed to dispense drugs. The opportunity for dispensing doctors to continue dispensing would be completely dependent on whether a pharmacist decided to open a shop within a mile of their surgery. For example, the Montgomery House surgery in Bicester has a considerable number of patients who live in the surrounding villages. At present, if they need drugs prescribed and dispensed after a visit to their GP, it can all be done conveniently at the surgery. In future, if the Government have their way, my constituents will no longer have that opportunity or choice; they will be obliged to go elsewhere to have their drugs dispensed. Why?

If doctors are prevented from dispensing, the resulting loss of income for the practice will in many instances also mean a reduction in patient services. At present, the income from dispensing subsidises other services—for example, branch surgeries. Dispensing practices have examined the plans and foresee that they will have to close branch surgeries or make salaried GPs redundant. Where doctors are near retirement and sole practitioners, the prospect of surgery closure looms.

Is it all a ruse whereby the Government hope to help fund polyclinics? Will polyclinics be allowed to dispense drugs? Why does the chief executive of the OFT say in his analysis of the Government's failure to take on board the OFT's recommendations that the Government have

> "developed far-reaching plans for reshaping the NHS and as you know polyclinics are part of these plans"?

During a recent debate on family doctor services, I intervened on my hon. Friend the Member for South Cambridgeshire (Mr. Lansley), the shadow Secretary of State for Health, who was pointing out that the introduction of polyclinics could threaten existing GP surgeries. I observed that communities were also losing their dispensaries, and asked:

> "Is my hon. Friend aware that 8.5 million patients are in GP practices that dispense drugs? Under the Government's White Paper on the future of pharmacy services it will be almost impossible for GPs to dispense drugs in the future. Why on earth remove patient choice in this way? This is yet another service that will be lost in villages in my constituency and colleagues' constituencies."

My hon. Friend responded:

> "Yes, I am interested in what my hon. Friend says because in one particular respect the effect of the pharmacy White Paper, which was published during the recess, may well be to undermine dispensing by dispensing doctors, and it may all be part of a common process by the Government. The polyclinics are expensive beasts; they cost about £800,000 each, so money has to be raised for them. I suspect that in many cases the Government intend to ensure that they have a large pharmacy, which will take the pharmacy profits, and the dispensing doctors in local surgeries will lose out and shut down as a consequence."—[*Official Report*, 23 April 2008; Vol. 474, c. 1317.]

Given that a large number of polyclinics will be in urban areas, there can be no possible justification for the Government's allowing them to dispense drugs when they are not allowing GPs to dispense drugs. Do the Government intend to rewrite the NHS (Pharmaceutical Services) Regulations 2005 to favour polyclinics?

There seems to be no end to the Government's meddling in the NHS. There have been nine major reorganisations of the NHS since Labour came to power, at a cost of £3 billion. The NHS is an institution that binds our nation together. In cities, towns and villages up and down the country, family doctor surgeries are part of the fabric of our community. The Government seem intent on imposing a polyclinic on every primary care trust area, which will inevitably put a substantial number of smaller local family doctor surgeries at risk. Again, if the Prime Minister is serious about the Government wanting to give patients "real power and control" over the service that they receive, why will the Government not let my constituents vote on whether they want a polyclinic imposed on Banbury?

Well over 1,000 GP practices in England will be destabilised as a consequence of the proposals in the Government White Paper on pharmacy. More than 8 million patients are registered with dispensing practices and thus potentially affected, and huge numbers of them will in future be denied choice about where, and by whom, their prescriptions are dispensed. It is estimated that between 5,000 and 7,000 staff employed in the dispensary and ancillary service areas of dispensing practices will be made redundant. That is a crazy situation. Will the Minister provide assurances that the Department will re-examine the proposals for dispensing doctors, and will he ensure that those appalling plans are not put into practice? Patient choice is allegedly a constant driver in all other aspects of Government health policy. Why not in dispensing?

Dr. Laurence Buckman, the chairman of the general practitioner committee of the British Medical Association, tells me that the implications of the Government's pharmacy White Paper

> "could be very severe indeed. The result might well be to terminate the rights to dispense of a substantial number of practices who rely on their dispensing income to subsidise the rest of the practice's work. We believe that this could well mean that a lot of practices would cease to be financially viable and thus affect the provision of NHS services to their patients. This would be a perverse result of proposals that are intended to provide greater choice and access to patients.
>
> Paragraph 8.7.2 refers to 'transitional rules' being required in the event that the loss of dispensing income financially destabilises a practice. 'Transitional' implies that such resources would eventually be withdrawn and so practices are and will continue to be under the threat of closure as it is unlikely that existing NHS income could be increased to cover the loss of dispensing…dispensing practices are popular with patients and provide an excellent service. Given that there is no public demand for any changes to the current arrangements, we do question why the Government seem so determined to generate so much uncertainly and to potentially destabilise the provision of local services."

Dr. Buckman observed that

> "in just about every patient survey that has been undertaken, dispensing practices are shown to be highly popular with patients. Indeed, the decision to have medicines dispensed with a practice rests with the patients themselves."

[Tony Baldry]

The Prime Minister and the Government purport to give patients real power and control over the services that they receive, but it is clear that in practice the Government have no intention of giving patients either power or control over services. I hope that Ministers will seriously reconsider their proposals for GP dispensing.

10.52 pm

The Parliamentary Under-Secretary of State for Health (Mr. Ivan Lewis): I congratulate the hon. Member for Banbury (Tony Baldry) on securing this Adjournment debate, and point out that he has not given me much time to respond to the various points that he made. If I am not able to respond to them all directly, I will follow them up in writing. I thank him for giving me a copy of his speech in advance.

I should like to begin by responding to the challenge, "What next?" Record levels of sustained investment in the NHS—that is what is coming next for the hon. Gentleman's constituents. Continued record levels of investment in his local schools—that is what is coming next. Measures that brought an end to mass unemployment will continue under this Government; that is what is coming next for his constituents. I assume that his constituents will benefit from free off-peak travel for pensioners, and from the winter fuel allowance, which was introduced by this Government.

Of course, the hon. Gentleman's constituents, and those of the hon. Member for Wantage (Mr. Vaizey), will benefit from the extended opening hours in primary care that have come about as a consequence of the recent ballot of GPs, which was initiated by this Government. There will be evening and weekend opening; I am sure that the constituents of the hon. Member for Banbury will welcome that, too. It is interesting that he did not refer to the fact that there is a clear dividing line between the Government and Her Majesty's Opposition on the issues. The Leader of Her Majesty's Opposition has clearly stated that future decisions about primary care should be in the hands of the British Medical Association. The Government's policy is that future decisions about primary care should be in the hands of patients. That is the nature of the health service that we seek—

Mr. Vaizey: Will the hon. Gentleman give way?

Mr. Lewis: I will not.

That is the nature of the health service that we seek to create. The idea that the Government have an agenda to impose polyclinics on a one-size-fits-all basis in every community in every part of the country is utter nonsense. That is disingenuous, because it is not the Government's position.

On behalf of his constituents, the hon. Member for Banbury has raised a number of valid and legitimate points, which I shall deal with. On Bloxham, the current regulations covering NHS pharmaceutical services have been in place since April 2005. They replaced previous systems, which existed in one form or another since 1948—indeed, I understand that the regulations on rural areas can be traced back to 1936. The latest regulations implement a series of measures that were agreed between pharmacy and medical representative bodies back in 2001. It is important for the House to bear in mind the fact that the regulations that gave rise to the local PCT's decision about which the hon. Gentleman is concerned are based on that accord between representatives of doctors and pharmacists.

It is a long-standing general precept, which all Governments have endorsed since the NHS came into being, that doctors prescribe medicines and pharmacists dispense them. In that way, patients receive the benefits of both professions' expert advice, intervention and care. I have used the term "general precept" very carefully. We all agree that both medical and pharmaceutical services have developed significantly since 1948. Our White Paper set out ways in which pharmaceutical services should and will grow in the future.

It is also possible that a community pharmacy is simply not a viable proposition in every part of the country, especially in rural areas. Patients need to receive their NHS-prescribed medicines promptly and efficiently, which is where dispensing doctors can play a vital role by allowing patients to collect their medicines from a surgery's dispensary without undertaking a lengthy journey to the nearest pharmacy. In the vast majority of cases, if the patient wishes to receive the services of a dispensing doctor, they need to live in a designated controlled locality—the hon. Gentleman has raised that point. The local PCT determines whether a particular area is rural or not. When it does so, it invites views from interested parties locally. Whatever the PCT decides, the decision can be appealed to an independent body, the NHS Litigation Authority, which is genuinely independent. As the hon. Gentleman knows, the question is whether Bloxham is rural in character. An appeal against the PCT decision has been lodged with the NHS Litigation Authority, and every opportunity will be given for people, including the hon. Gentleman, to make appropriate representations.

The hon. Gentleman has referred to the OFT. He has accused the Government of ignoring the OFT's recommendations on community pharmacy services, which we did not do. We responded in July 2003 and did not accept the case for full deregulation. We decided to move cautiously in the recommended direction, and we announced a balanced package of reforms to the regulatory system. We introduced those reforms in 2005 and reviewed their operation in 2006. Overall, we have found that they opened up the market as intended without destabilising it, but the impact was genuinely uneven. The tendency for pharmacies that are open for at least 100 hours a week to cluster near each other in some places is considered in the White Paper, which is why we have introduced proposals for further reform and why we did not fully deregulate as the OFT wanted.

On the reference by the OFT's chief executive to GP-led health centres, I cannot say what was intended by the reply that the hon. Gentleman received, and I am sure that the chief executive's office will be pleased to help him further. GP-led health centres are designed to extend choice and offer convenient services. Indeed, £250 million of additional funding is available, and I wonder whether the hon. Gentleman will bid for some of those additional resources on behalf of his constituents.

The White Paper was not, as the hon. Gentleman has claimed, published during the recess; it was published while Parliament was sitting. It has received broad support from all those involved—the NHS, health professionals and business. The hon. Gentleman has referred to chemists' shops, and I hope that the community pharmacy profession as a whole is not offended by the implication that its members are simply retailers. I am sure that the hon. Gentleman implied no such disparagement; pharmacists are, of course, highly trained and skilled professionals. However, not once has the hon. Gentleman mentioned his local pharmacist or referred to the comprehensive programme that we have set out to develop community pharmaceutical services.

It is absolutely right in a changing world that the Government should be prepared to engage in the reform of the NHS that most appropriately meets patients' needs. Of course, that has to be done in partnership with the local population, which will be given every opportunity to comment.

The motion having been made after Ten o'clock , and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at Eleven o'clock.

House of Commons

Tuesday 20 May 2008

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

COMMUNITIES AND LOCAL GOVERNMENT

The Secretary of State was asked—

Smoke Alarms

1. **Mr. Philip Hollobone** (Kettering) (Con): What her estimate is of the percentage of residential dwellings fitted with at least one smoke alarm in (a) Kettering, (b) Northamptonshire and (c) England. [206421]

The Parliamentary Under-Secretary of State for Communities and Local Government (Mr. Parmjit Dhanda): Ownership of smoke alarms in England now stands at 80 per cent. of households and we are seeking to raise it further as those without alarms are often in those groups who are most at risk from fire.

Information on smoke alarm ownership in Kettering and Northamptonshire is not held centrally. However, 82 per cent. of households in the east midlands region own one or more smoke alarms.

Mr. Hollobone: Last year, in Northamptonshire there were fires in 463 homes, 247 of which did not have smoke alarms fitted. Will the Under-Secretary congratulate the *Northamptonshire Evening Telegraph*, which has launched a campaign to get smoke alarms fitted in residential homes, and ensure that those that are fitted work? What steps are the Government undertaking to spread the message that those who do not have a smoke alarm are twice as likely to die in the event of fire?

Mr. Dhanda: I thank the hon. Gentleman for that question. He is right that the *Northamptonshire Evening Telegraph* is running a good, strong local campaign. Eighty per cent. of homes have smoke alarms, but people are twice as likely to die in a house fire if they do not have a smoke alarm. In one third of cases, there is no working battery in a smoke alarm, so we are running a high-profile campaign with the actress Julie Walters's, television programme. It is a hard-hitting campaign to ensure that people check their smoke alarms on a weekly basis. We also pump-primed the fire and rescue service with £25 million over four years. That money has been used to ensure that 1.9 million smoke alarms nationally have been fitted and I think that that is making a huge difference across the country.

Ms Celia Barlow (Hove) (Lab): I have been delighted to be involved in my hon. Friend's campaign on smoke alarms. Has he also considered the huge importance of sprinklers? Is he prepared to consider making mandatory the installation of fire sprinklers in residential homes, especially in care homes for the elderly and for children?

Mr. Dhanda: I thank my hon. Friend for that question and for her ongoing campaign for her constituency—we have done some work together on that. We have made it a requirement for all new care homes to have sprinkler systems when there is more than one bed in a location. If there is only a single bed, it is a requirement to have a sprinkler or a system whereby there is a smoke alarm and a door-shutting mechanism so that fire cannot spread. Through building regulations, we have also introduced a requirement for fire sprinklers for buildings of, I believe, over 30 m and for warehouse-style buildings above a certain size and height.

Mrs. Maria Miller (Basingstoke) (Con): Some alarms can now also detect carbon monoxide, which is responsible for the death of 30 to 40 people every year in this country. There are concerns that many more problems go undiagnosed. Will the Under-Secretary join me in urging the use of devices that can detect not only smoke but carbon monoxide?

Mr. Dhanda: I am happy to do that. I believe that Cleveland in particular has provided a strong local service, and it is part of the statutory duty to go out and ensure that community fire safety work is taking place throughout the country. Cleveland and many other fire and rescue authorities focus on carbon monoxide, whereas others focus on smoke alarms. Other fire rescue services have done completely different things—for example, in one area, chip fat fryers are being replaced with safer versions so that there are fewer kitchen fires. I therefore congratulate the hon. Lady on supporting the carbon monoxide campaign, and I know that fire and rescue authorities up and down the land are taking a closer look at it.

David Taylor (North-West Leicestershire) (Lab/Co-op): The Under-Secretary knows that a good proportion of domestic fires, and the injuries and deaths that go with them, are associated with discarded smoking materials. What steps have the Government taken to pursue the development and sale of reduced ignition propensity cigarettes of the sort that Canada and some states of the United States of America require? They need to be actively smoked, otherwise bars along the length of the cigarettes mean that they go out. Are not they a safety device, and why are we not moving along that path more rapidly?

Mr. Dhanda: We are working with our partners in the European Union on cigarettes that are less liable to cause house fires, through my chief fire adviser, Sir Ken Knight, who has been actively engaged on the issue. I am sure that my hon. Friend will see some of that work come to fruition in the coming months, as we work with our partners on guidance to help change the system, both here and across the continent.

Mr. Simon Burns (West Chelmsford) (Con): Does the Minister agree that one of the most effective ways of increasing the percentage of domestic dwellings fitted with fire alarms in England is through the work that the fire services do in providing people with free advice on the use and installation of fire alarms? In that respect, will he join me in praising Essex fire service for the tremendous work that it does by increasing awareness of safety and installing free fire alarms in domestic dwellings?

Mr. Dhanda: I am very happy to congratulate Essex fire and rescue service on the work that it is doing. Such work is being done throughout the land. As I have said, 1.9 million smoke alarms have been fitted through the £25 million that my Department has provided between 2004 and 2008. Some 1.5 million home fire risk checks have been performed by fire and rescue services throughout the country. Fire and rescue services are finding that ensuring that people are alerted to fire risks in the first place not only is effective in saving lives—we now have the lowest number of fire deaths since 1959—but results in savings, because it means that fire appliances and crews are called out less and less often to put out fires.

Overcrowded Accommodation

2. **Ms Dari Taylor** (Stockton, South) (Lab): What assessment she has made of the capacity of the private rented sector to contribute to a reduction in the number of families in overcrowded accommodation. [206422]

The Minister for Housing (Caroline Flint): Working with local authorities has shown that providing access to larger properties in the private rented sector can be a positive solution to the problem of overcrowding in some circumstances. We will shortly be publishing good practice guidance on the Department's website demonstrating the practical solutions that local authorities can take—and which some are taking—to address the problem of overcrowding.

Ms Taylor: I am very pleased to hear my right hon. Friend's response. Will she outline the review of the private rented sector that Julie Rugg is undertaking and will she also tell the House when we will receive information on how she sees larger houses being utilised to manage overcrowding?

Caroline Flint: The review of the private rented sector that Julie Rugg is undertaking will report in October and is focusing on four key themes: how to create an accessible private rented sector; security of tenure for tenants; the provision of safe and decent homes; and improving landlord-tenant relations. Over the past few months I have had a number of conversations with colleagues in the House, local authority leaders and others about the question of whether, if it comes up to standard, the private rented sector could be part of a family of providers, as well as about tackling houses in multiple occupation and overcrowding. I hope that that will all feed into the housing reform Green Paper that the Prime Minister announced will be forthcoming at the end of this year.

Mr. Robert Goodwill (Scarborough and Whitby) (Con): Has it dawned on the Minister that the move to pay housing benefit directly to tenants rather than to landlords for new tenancies will result in an increase in evictions and a reluctance among private landlords to let their houses to people on benefit?

Caroline Flint: With due respect to the hon. Gentleman, that is a somewhat patronising attitude towards tenants. I understand that the driver for the change was about ensuring that those renting in the private sector who have traditionally been in receipt of housing benefit can take more responsibility for finding their housing and assume more financial responsibility, too. The change is about developing a more independent approach, rather than a dependent approach. I also understand—I am sure that colleagues from the Department for Work and Pensions will be happy to provide him with information on this—that safeguards are in place, particularly for vulnerable tenants, to ensure that rents are paid and, where appropriate, that adequate and suitable support is given either by Jobcentre Plus or by local authorities, or by charitable organisations working with particular groups of vulnerable people.

Dr. Phyllis Starkey (Milton Keynes, South-West) (Lab): Milton Keynes council is using the private rented sector to try to provide more suitable accommodation for many of the people on its waiting list and those in overcrowded accommodation. However, does the Minister accept that a major disincentive for council tenants to move to the private sector is the security—or rather, the insecurity—of tenure in the private sector? Will she ensure that the review considers that issue seriously?

Caroline Flint: My hon. Friend makes an important point. As I have outlined, security of tenure is one of the issues that Julie Rugg and her colleagues are addressing. For people to feel safe and comfortable about alternative options, particularly where children are involved, they want to be assured that if accommodation is provided in the private rented sector, they can make the appropriate arrangements for schools, doctors and, I hope, employment, too. I hope that my hon. Friend and colleagues on both sides of the House will engage and make their views known to Julie in her review.

Mr. Lindsay Hoyle (Chorley) (Lab): Does my right hon. Friend share my concern that the private sector can take advantage of the housing market because people cannot afford to buy their own properties, which is driving up rents in the private sector? Has the time not come for more investment in the public sector, because it is the people in that sector who can really deal with the housing problem? Can we make more houses available through the public sector?

Caroline Flint: It is absolutely the case, as my hon. Friend has outlined, that although we seek to engage with positive landlords in the private rented sector and to tackle landlords' bad practices, the issue is also about building more affordable homes for low-cost ownership and, importantly, for rent. That is why we are investing more than £8 billion in the next few years. We want to increase the number of homes being built and those that are available for social rent. As I have said to colleagues across the House, MPs play an important role in making sure that local authority bids for growth points or housing supply targets are underpinned by an understanding of the housing needs of those communities and the priority that should be given to those who need homes for social rent. As MPs, we can play an important role in ensuring that what is talked about locally is delivered on the ground.

Council Tax

3. **Martin Horwood** (Cheltenham) (LD): If she will consider the merits of abolishing council tax. [206423]

The Secretary of State for Communities and Local Government (Hazel Blears): The Government have no plans to abolish council tax. We agree with Sir Michael Lyons, who concluded in his independent report on the future of local government that council tax is basically sound and should be retained.

Martin Horwood: Sir Michael Lyons also said, at paragraph 7.239:

> "I am satisfied that a local income tax could be feasible…and could viably replace all or part of council tax".

Given that the council tax is being used in Gloucestershire even to top up flood-relief spending, and that the poorest households still pay 7 per cent. of their income in council tax, compared with just 2 per cent. for the richest, is not it time to perform another tax U-turn for the lowest paid?

Hazel Blears: Sir Michael Lyons also looked, very properly in my view, at the implications of moving either to full or local income tax. If we went to full income tax, there would be a rise of 7.7p in the pound, and if we went to a local income tax that covered only half of council tax, that would add 4p to the basic rate of income tax. I do not think that families want to pay such amounts.

Dr. Alan Whitehead (Southampton, Test) (Lab): Does my right hon. Friend agree that if a local income tax were levied instead of council tax, practically it could only be levied nationally and assigned locally? That would make the word "local" in local income tax rather redundant.

Hazel Blears: My hon. Friend expresses himself with great knowledge, as usual. He is a bit of an expert on these matters. I understand that if we were to have a local income tax, not only would it have to be administered nationally, but the cost for business would be absolutely enormous. The latest estimate is that the administrative costs would be £100 million, particularly affecting small businesses.

Mr. Gregory Campbell (East Londonderry) (DUP): I do not know whether there is a discount for council tax payers in England for senior citizens aged over 70 who live alone, but if not, will the Minister consider introducing a scheme similar to the one introduced in Northern Ireland by my colleague the Finance Minister, my right hon. Friend the Member for Belfast, East (Mr. Robinson)? Such a scheme would be very productive in targeting senior citizens who live alone and who are at the lower end of the income scale.

Hazel Blears: The hon. Gentleman will be aware that there is a general discount of 25 per cent. for people who live alone. Clearly, local authorities have discretion regarding other adjustments that they would like to make. A number of local authorities have given discounts to particular sections of the community, so that option is open to local authorities.

Sir Peter Soulsby (Leicester, South) (Lab): I welcome the Government's commitment to keeping a property-based council tax at the heart of local government finance, but does the Secretary of State agree that it is important that local councils should be able to raise finance from a range of sources other than a property-based council tax? Does she agree that it is particularly important that a higher proportion of their revenue is raised locally if they are to be accountable to the local electorate?

Hazel Blears: Yes, it was Sir Michael Lyons who said that the property-based tax was an important element in the accountability of local authorities to the people that they serve. It is clearly important that local authorities have some flexibility, and we have recently decided that we will give them the ability to raise supplementary business rates in their area, subject to a whole range of safeguards to ensure that they do not impose a burden on business. There are already business improvement districts, in which local people get a vote on raising more money so that they can do the things that really matter to their local communities. It is important that we do not enter into the debate on a local income tax lightly, because such a tax would involve a massive shift from older people to hard-working families. I know that the Liberal Democrats choose to talk about a local income tax as though there would be no losers; actually, there would be many thousands of losers, mainly from hard-working families.

Robert Neill (Bromley and Chislehurst) (Con): Does the Secretary of State accept that, although I might agree with her that a local income tax is the wrong answer, a real problem has none the less been created by her Government as a result of the plethora of unfunded burdens, regulations, inspection regimes, red tape and ring-fenced funding that reduces the scope of local authorities to make local decisions for local people? Against that background, does she regard it as a considerable achievement that one third of the increase in the basic state pension is now eaten up by the increase in council tax?

Hazel Blears: Much as I like the hon. Gentleman—[Hon. Members: "Surely some mistake!"] It is only because I can look him in the eye. Much as I like him, I am afraid that he is significantly out of date, and I urge him to catch up. In the past 12 months, we have slashed the number of targets for local authorities from 1,200 to under 200. We have also un-ring-fenced £5 billion of resources for local authorities and their partners to spend on the things that really matter to local people. There is now a slimmed-down regime for local government, because I am determined that local authorities should be able to respond to the things that people think are important. I hope that the hon. Gentleman agrees with me on that.

Household Rubbish (Charges)

5. **Mr. David Evennett** (Bexleyheath and Crayford) (Con): What discussions she has had with the Secretary of State for Environment, Food and Rural Affairs on the relationship between charges for the collection of household rubbish and council tax. [206425]

The Minister for Local Government (John Healey): Our Department is working closely with the Department for Environment, Food and Rural Affairs on policies to reduce household waste, including possible waste incentive schemes.

Mr. Evennett: I thank the Minister for his response. Will not the Government's plans for bin taxes simply harm the local environment by causing a surge in fly-tipping and backyard burning, as well as increasing bills for families? Is he aware that in the Republic of Ireland, which already has bin taxes, one in 10 people burn rubbish in their backyard? Surely the Government should be working with councils to extend recycling opportunities.

John Healey: Of course, we are doing just that—extending recycling opportunities. The performance of local authorities in recent years—including the hon. Gentleman's own, to which I pay tribute—has been extremely good. I recognise that fly-tipping is a concern, and we have made it clear that any pilots that go ahead would have to be in authorities that could show that they already had a good fly-tipping programme in place, as well as good recycling programmes. I think that we can reduce the risk, but this is clearly one of the things that we can test through pilot schemes, once we get them up and running next year.

Alan Simpson (Nottingham, South) (Lab): In his discussions with his ministerial colleagues on how we manage household waste, will the Minister look at what is already happening in continental Europe, where biodegradable waste is being put back into the waste stream in order to deliver heat and electricity from biogas on a scale that the UK is barely even paddling in? When residents can be the beneficiaries of sustainable energy systems from their own waste, we see a profound change in the culture. Will the Minister explore that process for the UK as well?

John Healey: My hon. Friend is right, and he knows a great deal about these things, including what goes on in many parts of the continent. My Department and the Department for Environment, Food and Rural Affairs are encouraging local authorities to look widely into the kinds of investments and methods that are used—including on the continent—to make the best use of waste as well as to encourage recycling. Part of the provision that we shall put in place over the next three years will double the amount of private finance initiative cover to allow investment in a range of different techniques to go ahead.

Anne Main (St. Albans) (Con): May I caution the Minister? In some authorities, including my own—Liberal Democrat-run St. Albans—the literature that accompanied the waste collection was so badly worded that it caused utter confusion and had to be redrafted, rewritten and re-sent. [HON. MEMBERS: "Recycled?"] Unfortunately, we have not had a Tory administration in St. Albans since 1997; otherwise, I am sure that we would have had a better service. Compounding that, we are now going over to a fortnightly putrescible waste collection, which is causing disturbance as well as raising concerns about smells, odours, flies and, indeed, infections. May I ask the Minister to keep a close eye on authorities that are going over to that system and to evaluate the situation after a reasonable time, as I am concerned that residents in my constituency are not being well served?

John Healey: In the end, the decision on whether to move towards collecting mainstream household waste every other week—in many areas where that happens, they also collect the recyclable waste at the same time—is clearly one for local authorities. I am sure that the hon. Lady will keep a close eye on the situation. We in central Government are interested to see the impact of these schemes, but in the end it is properly a decision—all Members would surely recognise this—for local authorities to take in view of what is best for their area and what can best help them achieve the recycling rates that this country requires over the next few years.

Council Housing (Disrepair)

6. **Ms Sally Keeble** (Northampton, North) (Lab): What steps she is taking to reduce the level of disrepair in council housing. [206426]

The Parliamentary Under-Secretary of State for Communities and Local Government (Mr. Iain Wright): In 1997, we inherited a £19 billion backlog of disrepair in council housing. To tackle that, we committed to making all social housing decent, which includes tackling disrepair. By 2010, more than £40 billion will have been invested in improvements to social housing, and work will have been completed on more than 3.6 million properties, improving the homes of 8 million people, including 2.5 million children.

Ms Keeble: I very much appreciate the track record that my hon. Friend has set out. Is he aware, however, that 31 local authorities, including Northampton borough council, will not meet the decent homes standards until after 2010, and that another 19 have arm's length management organisations that do not yet have an investment programme, and no date has been given? What is the Department going to do to put pressure on those local authorities to deliver decent standard houses by 2010? I have to say that their failure to do so means that some of my constituents live in unacceptable standards of housing and some of the most vulnerable families live in harsh poor conditions.

Mr. Wright: My hon. Friend is a true champion on behalf of Northampton and a real expert on housing issues. I have visited her constituency and we also discussed this matter in an Adjournment debate last year. I understand that, in January, Northampton borough council completed a consultation on a borough-wide housing strategy in which the priorities for housing in the borough were identified as increasing supply and improving the condition of the housing stock. I know that she is providing strong political leadership in her borough on this matter. I ask her to continue to flag it up to me so that we can continue to work together to minimise further slippage on disrepair.

Mrs. Iris Robinson (Strangford) (DUP): Does the Minister agree that for people living in council areas where there is a history of disrepair and deprivation, there is a knock-on effect on the well-being of tenants, which often leads to low self-esteem, low educational attainment, depression and a reliance on drugs? Does he agree that it is therefore necessary for the Government to have a robust and external cyclical maintenance scheme in operation on a regular basis in order to improve the quality of life of people living in council houses?

Mr. Wright: The hon. Lady makes a really important point, because housing is a key indicator of life expectancy, educational attainments and general feelings of well-being. It is right for the Government to have moved forward by investing unprecedented sums of money in decent housing so that this generation does not have to face the enormous backlog of disrepair left by the previous Tory Administration.

Andrew Mackinlay (Thurrock) (Lab): Will the Minister use a departmental circular to remind local authorities of their moral obligation—quite apart from their legal obligations—to ensure that when they allocate houses, the fixtures and fittings are there and the house is clean? Far too often, my constituents and, I think, those of other hon. Members, complain to us about the callous disregard of housing departments, including Thurrock borough council, that allocate dirty and squalid housing units that are falling apart as a result of inadequate fittings. That has got to stop, as these people are under a lot of—

Mr. Speaker: Order. I think that this supplementary question has to stop.

Mr. Wright: My hon. Friend has made an important and serious point. When there are voids and when housing is reallocated by a council or housing association, that provides a good opportunity to ensure that any necessary repairs are carried out and any necessary health and safety measures undertaken. I shall go back to the Department and consider what he has said.

Grant Shapps (Welwyn Hatfield) (Con): Given that the Government's expenditure of £12 billion on decent homes standards has increased the number of homes that meet those standards by only 14 per cent., given that they now admit that there is no chance of their meeting the 2010 target on decent homes, and given that a record 1.7 million families are on council housing waiting lists, is it not about time the Minister admitted that the Government are letting down the very people whom they claim to represent?

Mr. Wright: I may have misheard what the hon. Gentleman said, but I do not think he declared any interests in housing policy in regard to private contractors.

I think that the hon. Gentleman is missing a trick. We ought to consider where we have come from, and what we have achieved over the past 11 years: 580,000 new kitchens, 440,000 new bathrooms, 910,000 new central heating systems and—here I follow the trail of answers given by the Under-Secretary of State for Communities and Local Government, my hon. Friend the Member for Gloucester (Mr. Dhanda)—the rewiring of 630,000 council houses to ensure that they meet fire and safety requirements. The hon. Gentleman's party created an appalling backlog in repairs and maintenance, but this Government have tackled it.

Dr. Brian Iddon (Bolton, South-East) (Lab): I welcome the decent homes target, but does my hon. Friend accept that council house management and maintenance allowances are far too low and below the level required for the decent homes standard to be met? Incidentally, we inherited that legacy from the Opposition.

Mr. Wright: I pay tribute to my hon. Friend's expertise in housing matters. His local arm's length management organisation, Bolton At Home, is a fine example of what can be achieved in the context of decent homes. I can tell him that management and maintenance allowances per dwelling have increased from about £1,031 in 2001-02 to £1,721 in 2008-09, which constitutes an average real-terms increase of 4.6 per cent. per annum.

We are examining the whole principle behind the financing of council housing, and will report shortly. One of the issues that will be examined is management and the maintenance allowance.

Flooding

7. **Miss Anne McIntosh** (Vale of York) (Con): What assessment she has made of the impact on the summer floods of 2007 of householders concreting over front gardens; and if she will bring forward proposals for planning permission to be sought prior to such alterations being carried out. [206427]

The Minister for Local Government (John Healey): Two thirds of the homes that were flooded during last summer's floods were flooded by the run-off from surface water. That is why the Government announced in February that, in future, people would need planning permission to pave over front gardens when the material used makes the surface impermeable.

Miss McIntosh: The Minister will know that 5,500 householders have been unable to return home, and that about a quarter of them are still living in caravans. To what extent has he implemented the conclusion in the Pitt report that no householder or business owner should of right be able to add any impermeable surface to his property? Will he support the Land Use (Garden Protection) Bill, tabled by my hon. Friend the Member for Meriden (Mrs. Spelman), which will be presented to the House in due course?

John Healey: The hon. Lady is right. Figures that I published today suggest that 5,500 householders are still not fully back in their own homes, and although the number living in caravans has fallen by some 1,000 over the last couple of months, it is still about 1,400. Progress has been made, but more needs to be done over the next few months.

As the hon. Lady said, one of the drainage recommendations in the Pitt report was that people should have to obtain planning permission if they wished to hard-pave their front gardens. We will implement that recommendation from October.

Mr. Brian Jenkins (Tamworth) (Lab): Before my hon. Friend goes down the planning consent route, will he acknowledge that a charge is incurred by local people who make planning applications for developments of this kind? Will he instead go down the building consent route, which would mean informing all contractors in the area that they must abide by the regulations laid down by their local authority on water containment?

John Healey: The best approach to deal with the particular problem of increased run-off as a result of paved front gardens is the planning permission route. We are looking at whether, having implemented that in October this year, we should apply similar standards to non-domestic properties such as offices, industry and car parks. My hon. Friend may like to know that we will produce guidance on how householders can pave over their front gardens without using impermeable materials that will require planning permission.

Mr. James Gray (North Wiltshire) (Con): The many thousands of houses that were tragically flooded last summer, partly because of the concreting over of front gardens, will not be helped in any shape, size or form by the prevention of that in the future, because the concrete that is there already will still be there unless the Government intend to make the measure retrospective. What is important is that gardens as a whole should be preserved—not just front gardens, but all gardens. Will the Government therefore ask the planning system to take a look at garden grabbing? We need to keep our gardens in our town areas. If we do that, that is where the water goes, so never mind setting up an army of spies to look into whether people are planning applications for their front gardens.

John Healey: That is a matter for local authorities as local planning authorities, and they take such issues into account where they are relevant.

Community Groups

8. **Linda Gilroy** (Plymouth, Sutton) (Lab/Co-op): What progress has been made on proposals for the transfer of assets to community groups; and whether the proposals in the empowerment White Paper will affect this process. [206428]

The Secretary of State for Communities and Local Government (Hazel Blears): Since May last year, community groups have been assisted on asset transfer projects in 20 areas, the Cabinet Office has allocated £30 million in refurbishment grants, and there is new guidance for local authorities. The White Paper will build on that, and in particular propose a new right for citizens which will ensure that councils consider proposals to transfer underused properties or land to community ownership.

Linda Gilroy: I thank my right hon. Friend for that reply, and I particularly welcome the emphasis she placed on the transfer of land. Does she agree that community land trusts have a particularly important role to play in achieving a permanently affordable stock of intermediate housing, and will she encourage the transfer of assets to such trusts?

Hazel Blears: My hon. Friend has an extremely good record of being imaginative and innovative and of supporting such projects in her area. We now have 14 community land trust pilots—overseen by Salford university—in both rural and urban areas. In some of the rural areas, we already have people occupying the homes that have been built in this way. This is a very imaginative way of ensuring that affordable housing remains for the long term. I understand that the Under-Secretary of State for Communities and Local Government, my hon. Friend the Member for Hartlepool (Mr. Wright) will meet my hon. Friend the Member for Plymouth, Sutton (Linda Gilroy) later today to consider how we can press on further with this agenda.

Mr. David Drew (Stroud) (Lab/Co-op): I hear what my right hon. Friend says, and I thank her for seeing me about the Cashes Green site—and I also look forward to hosting the Under-Secretary when he comes to Stroud. What progress is being made on the pilots, and when will the full report eventually be produced by Bob Paterson and others?

Hazel Blears: My hon. Friend is also extremely supportive on these issues, and I know he has been imaginative in taking them forward in his own area. I can promise him that there will be a report on the pilots. He will know that there are still some technical issues to be explored, particularly in relation to the urban pilots, which are on a broader scale and therefore require more work to be done. I will make sure that we come forward with our proposals as soon as we can, as I understand that there is a pressing need to get a proper framework for this way of working. Not only community land trusts but community ownership in general can ensure that organisations are sustainable for the long term, with an income stream that means they are less dependent on grants from local authorities. That is why such trusts are such an important part of the Government's business.

Preventing Violent Extremism Programme

9. **Mr. David Heathcoat-Amory** (Wells) (Con): What recent representations she has received on the preventing violent extremism programme. [206429]

The Secretary of State for Communities and Local Government (Hazel Blears): I have held regular meetings with a range of partners, including Muslim communities, the police, the Local Government Association, parliamentarians from both Houses and others with an interest in the preventing violent extremism programme. We are working closely with these partners at every level—local, national and international—to build the resilience of local communities so that they are able to stand up to the messages of extremism.

Mr. Heathcoat-Amory: Can we be sure that, in pursuing her laudable aim of combating Islamic extremism and fundamentalism, the right hon. Lady conducts a very thorough audit of the Islamic bodies that participate in these schemes and receive Government recognition? Can she also say whether the Muslim Brotherhood, which is an extremist organisation, participates in any way in the Mosques and Imams National Advisory Board or any of its contributing bodies?

Hazel Blears: The right hon. Gentleman is right that it is extremely important that, in allocating our funding to local authorities, we have a good degree of reassurance about the kind of projects funded. We are about to embark on a three-year programme involving £45 million for local authorities, so I am absolutely determined to ensure that we will fund projects that really help to build the resilience of local communities. The local police are closely involved with local authorities in making these funding decisions at local level. The Government offices are being strengthened to ensure that there is extra reassurance. As the right hon. Gentleman knows, despite the fact that this money is, in general, local government grant, I want to make absolutely sure that after 12 months we look at the situation again.

On the organisation to which the right hon. Gentleman referred, I am extremely keen to ensure that we continue with our policy of engaging with the groups that are prepared to stand up and tackle and condemn extremism. That will be the continuing policy, and wherever people are not in that category, they are not groups with which we wish to collaborate in our endeavours to tackle extremism.

Dr. Julian Lewis (New Forest, East) (Con): I am encouraged by that response. Will the Secretary of State confirm that part of the money allocated to this programme will be used to try to convey to young Muslim people the message of senior Muslim scholars that the use of violent extremism in political causes is essentially un-Islamic?

Hazel Blears: The hon. Gentleman raises a very important point, and a key part of our strategy is to tackle the ideology perpetrated by extremists. It is absolutely vital that young people, and also women, have the ability, knowledge and skills to stand up and combat these messages. That is why we have an extensive programme of work with women. There is the National Muslim Women's Advisory Group, and I intend to have a similar group of young people who will be empowered to take on leadership roles and to play a much larger part in their communities. This is the point at which we move from small projects that reach a few people, to trying to get the message across not just to the Muslim community but to all our communities that it is the voice of the overriding, law-abiding majority that we must hear, and that we must tackle this ideology, which threatens our communities.

Mr. Paul Goodman (Wycombe) (Con): The Secretary of State will be aware of claims that the Muslim Association of Britain—one of the four founder members of MINAB, to which my right hon. Friend the Member for Wells (Mr. Heathcoat-Amory) referred—is, in effect, the British arm of the Muslim Brotherhood. Has she carried out an assessment of this claim and can she definitively say to the House that it is untrue?

Hazel Blears: The hon. Gentleman will know that the founding partners of MINAB are those organisations that have committed to having proper standards in their mosques, and to being part of our policy of standing up and condemning and tackling Muslim extremism. I can give the hon. Gentleman the assurance that checks are carried out regarding all the organisations that we fund. There was some question recently—it was perhaps raised by the hon. Gentleman—about the Cordoba Foundation, in Tower Hamlets. That organisation was not funded under our preventing violent extremism programme. The local authority in Tower Hamlets was going to engage with the Cordoba Foundation; it decided not to, and that was absolutely the right decision. I can therefore give the hon. Gentleman the assurance that these checks are carried out, and I am determined that we will fund organisations that want to stand up and encourage the mainstream, moderate Muslim majority in this country to feel strong enough to rebut these messages of hate and extremism that threaten a minority of our community, but which nevertheless constitute a very serious and important threat.

Local Government Expenditure

10. **Paddy Tipping** (Sherwood) (Lab): What proportion of local government expenditure was (a) raised locally and (b) met by Government grant in 2007-08. [206431]

The Minister for Local Government (John Healey): About a quarter of council revenue spending is financed by council tax; about three quarters is financed from Government grant.

Paddy Tipping: Is the balance of funding right? If more money were raised locally, would not local authorities and local councillors be more receptive and sympathetic to the needs of people who live in their areas?

John Healey: Some argue that, but it is also important for all local councils to be properly funded. That requires a significant redistribution of central Government funding, which we make each year, and, thus, a significant proportion of central Government support, which we give each year. Over the past 10 or 11 years, the proportion of funding raised through council tax has remained at about a quarter. The proportion of central Government funding has, of course, risen: local councils have seen rises of more than 39 per cent. above inflation over those 10 years, which directly contrasts with the three years before 1997, when there was a 7 per cent. real-terms decrease.

Mr. Gary Streeter (South-West Devon) (Con): Why is local government grant divided in such a way that a child educated in Devon receives £500 per annum less than a child educated in Manchester? Given that teachers are paid the same nationally, how on earth can that be fair?

John Healey: Quite simply because, although the hon. Gentleman's party leader does not appear to want to continue it, we have a system of funding local councils and the people who live in their areas according to the needs in those areas. That is intrinsic to our system, and that is the way it will remain.

Topical Questions

T1. [206411] **Andrew George** (St. Ives) (LD): If she will make a statement on her departmental responsibilities.

The Secretary of State for Communities and Local Government (Hazel Blears): My Department will continue with our three priorities of building more homes, empowering local people and building strong communities.

Andrew George: In my constituency, three times as many properties continue to be sold to second home buyers than to first-time buyers. The Government's rural advocate and their Affordable Rural Housing Commission recommend action, and meetings that I had with the Minister for Housing's predecessor and with the Prime Minister have left the door open for action, so can I assume that the Government will act to rebalance the market? If so, when will they do so?

The Parliamentary Under-Secretary of State for Communities and Local Government (Mr. Iain Wright): The hon. Gentleman makes an important point. Planning policy statement 3 on housing empowers local authorities to shape housing according to the specific circumstances of their local areas. I understand the point that he is making about rural areas, particularly in respect of second homes. Our problem is that introducing something such as a requirement to obtain planning permission to use a property as a second home is difficult and impractical. That is because decisions on a planning application can be made only on the basis of land-use planning considerations, and whether someone who is purchasing a property already has a main residence elsewhere is not such a land-use planning consideration. I understand the points that he has made, and that the hon. Member for Truro and St. Austell (Matthew Taylor) is examining the matter.

T2. [206412] **Mr. Andrew Love** (Edmonton) (Lab/Co-op): In the two years since the system's introduction, my local authority, like many up and down the country, has not taken the opportunity to designate areas for selective licensing of houses in multiple occupation, and, as a result, many of my constituents are living in very substandard conditions. I know that a review is being undertaken. Will the Minister incorporate this matter into the review to ensure that we find a way to move forward, so that there can be a genuine partnership between Government and local authorities to cover those who are not being serviced locally?

The Minister for Housing (Caroline Flint): My hon. Friend raises a very important matter. We have provided an opportunity in a number of different ways for local authorities to investigate and license properties that represent HMOs—for example, the mandatory licensing system and the additional licensing system for smaller properties. I must say to him that only one local authority has sought permission from the Department to use that power. We also have selective licensing for a wider area, where a local authority believes that a situation is detrimental to the sense of neighbourhood in those communities. I believe that about five authorities have come forward in that regard, and his is not one of those. The Building Research Establishment is reviewing the licensing arrangements and I shall ensure that it takes on board the points that he makes. We must ensure that available powers are used, and where they are not being used, we need to know why. We need to look into this area.

Mr. Eric Pickles (Brentwood and Ongar) (Con): I was very concerned to read in *The Independent on Sunday* that the Prime Minister is very critical of the Secretary of State's handling of the bin taxes. I was especially interested to read that a Downing street spokesman had said of the bin taxes that they would be

> "Brought in over Gordon's dead body."

Given the bin taxes' ability to come, zombie-like, back from the grave, that does not bode especially well for the Prime Minister's long-term prospects. Will the right hon. Lady now lay this discredited policy to rest and kill off the bin tax pilots and the bin tax laws currently before Parliament?

Hazel Blears: I do not know about people coming back from the dead, but I welcome the hon. Gentleman back to the Dispatch Box from Crewe, and I know that Tamsin Dunwoody will be an excellent Member of Parliament for that constituency from Friday morning.

The Government's interests lie in ensuring that we encourage people to recycle. I am sure that the hon. Gentleman shares my care for the environment and ensuring that we have a proper system of incentives and rewards to encourage this country to take its responsibilities for the environment seriously. I thought that the slogan was "Vote blue and go green", but that does not sound very green.

Mr. Pickles: Well, I am not sure that that will do for the Prime Minister. May I remind the Secretary of State that the Government have put a pin into the voodoo doll of the bin tax on four previous occasions? They scrapped it on 27 April, 12 September and 24 October last year, and again as recently as 5 May this year. Given that those occasions coincided with deep crises for the Government, may we anticipate a further announcement about the fate of the bin taxes in the early hours of the morning on Friday 23 May?

Hazel Blears: I wonder whether the hon. Gentleman recognises this statement:

> "The Government's decision to provide a power for five local authorities to introduce financial incentive pilot schemes for reducing waste is a good news for councils and local people."

That is a direct quotation from Paul Bettison, who is the Tory chairman of the environment board of the Tory-controlled Local Government Association. Perhaps there is a rift between the LGA and the hon. Gentleman.

T3. [206413] **Sir Peter Soulsby** (Leicester, South) (Lab): Will the Secretary of State join me in congratulating Councillor Manjula Sood, who last Thursday was unanimously elected as lord mayor of Leicester, the first Asian woman lord mayor of any UK city, and in almost 800 years of the mayoralty in Leicester? Following Councillor Sood's example, will my right hon. Friend say what progress has been made to ensure the recruitment of a greater number of women councillors and councillors from ethnic minorities, especially women councillors from ethnic minorities?

Hazel Blears: I am delighted to join my hon. Friend in those congratulations. I have met Councillor Sood and I wrote to her on 30 April congratulating her on her appointment. I wrote:

> 'I am so proud of your achievements. You are an inspiration to others".

I agree entirely that we do not have enough councillors from black and minority ethnic communities, especially women; we have only 168 out of 20,000 councillors. I am pleased that my right hon. and learned Friend the Minister for Women and Equality this week launched a taskforce to see what practical steps we can take to ensure that more people come forward so that our councils are more representative of our communities as a whole. I have no doubt that Councillor Sood will be an excellent lord mayor and I wish her all the best for her year of office.

Julia Goldsworthy (Falmouth and Camborne) (LD): Thanks to the Minister for Housing's transparent choice of stationery, we now know that her Department expects house prices to, at best, fall by 10 to 15 per cent. What is the Department's estimate of the worst-case scenario?

Caroline Flint: What we are working towards at the moment is how we can engage with the construction industry, mortgage lenders and across Government to ensure that we do whatever we can to deal with the present challenges. Fundamentally, we need a long-term view of how we can ensure that when the upturn comes—and it will—we are on task to build more homes. That is our agenda and that is what we will do. We will continue to engage in a common-sense, practical way that delivers for our communities.

T4. [206414] **Ms Angela C. Smith** (Sheffield, Hillsborough) (Lab): Many of my constituents express increasing frustration about the length of time that they have to wait on Sheffield council's waiting list for a council house. What does my right hon. Friend think needs to be done to improve allocations policy and to make it work more successfully for our hard-working decent families?

Caroline Flint: I know of my hon. Friend's interest in this subject and her commitment to ensuring not only that we build more affordable homes, including social homes for rent, but that we avoid the mistakes of the past, when we have often created two cities in one—one for those in the social housing sector and one for those in the private housing sector. As we work towards producing our Green Paper on housing reform towards the end of this year, we will look at how the allocation system can be fairer and more transparent and at whether there are inequalities in it that need to be addressed. We need to address how much more we can enable people to get the skills to work while finding ways in which we can support young working people on low incomes so that they get access to housing.

T9. [206419] **Mr. Hugo Swire** (East Devon) (Con): Given that Cranbrook in East Devon will be a prototype eco-town, can we expect some support from the Government in ensuring that it is a zero-carbon development through the provision of a combined heat and power station?

Caroline Flint: We are obviously working with the local authorities and partners in the Cranbrook area to support the delivery of the housing and of the necessary infrastructure. To support that, we have provided £1 million in 2007-08 and £5.5 million for 2008 to 2011. At the same time, we are working to see how we can ensure that homes can meet higher environmental standards over the next few years. I am working with the industry on a journey towards zero carbon for all new buildings by 2016. Clearly, some developments in the hon. Gentleman's part of the world will be affected by that.

T5. [206415] **Richard Burden** (Birmingham, Northfield) (Lab): My right hon. Friend will be aware of the tremendous contribution that the new deal for communities programme can make to the regeneration of local areas, including King's Norton in south Birmingham. When will she make an announcement on the final year's funding for the new deal for communities programme? When she makes that announcement, will she emphasise the importance not only of the much-needed infrastructure work but of the community development work that will be one of the important legacies of the programme?

Hazel Blears: I am very pleased with the progress on the new deal for communities in King's Norton. My hon. Friend has been a key driver for that programme. I should be in a position to make some final decisions in June, so he does not have too long to wait. I urge the local authority in Birmingham to work with the community development trust that is already established there. My hon. Friend will know that regeneration is about far more than just bricks and mortar. Unless we support the families in those areas, we will not get the long-term sustainable regeneration that is so important for the future.

T10. [206420] **Mr. Greg Hands** (Hammersmith and Fulham) (Con): May I commend the Secretary of State for calling my hon. Friend the Member for Henley (Mr. Johnson) shortly after his victory in the London mayoral election? I think that the Minister for the Olympics did the same. What advice has the Secretary of State given to the Prime Minister, who has yet to make that call? The Prime Minister's spokesman said that he would make contact with the Mayor

> "when they have matters to discuss".

In London, an awful lot of matters need to be discussed, not least knife and youth crime. Will the Secretary of State have a word with the Prime Minister, as perhaps it is time for him to make that call?

Hazel Blears: The Prime Minister has done better than simply making a private call. He has congratulated the Mayor in public and is happy to engage with him. The hon. Gentleman might want to have a word with the new Mayor himself. I understand that the Mayor recently met Mayor Bloomberg, from New York. Mayor Bloomberg's advice to Mayor Johnson was to get rid of his manifesto commitments as soon as he could, because he might find them a bit inconvenient. I hope that the hon. Gentleman will tell the new Mayor that he wants him to abide by these commitments.

T6. [206416] **Ms Katy Clark** (North Ayrshire and Arran) (Lab): The Housing Minister will be aware of the concerns that are being raised by some residents of newly built estates about the role of property management companies. She might well be aware of the all-party group that has recently been set up. Will she be willing to meet that group to discuss its concerns and what the Government can do to address those issues?

Caroline Flint: I welcome the formation of the all-party group, and the work that my hon. Friend contributed to its establishment. I also pay tribute to my hon. Friend the Member for Livingston (Mr. Devine) who for some weeks now, if not months, has been talking to me about the problem of the lack of empowerment felt by residents in homes run by property and land maintenance companies in respect of charges on communal areas and other matters. I am very happy to meet my hon. Friends, and I apologise for not having been able to find the time before now. We will make sure that an appointment is put in the diary.

Richard Younger-Ross (Teignbridge) (LD): Could the Minister explain how a contradiction in Government policy will be resolved? On the one hand, the Government are working for the regeneration of our high streets, market towns and seaside resorts. On the other, their planning policies—which may allow an additional four supermarkets in Teignmouth and Dawlish, bringing the total there to seven—are likely to lead to the closure of shops in those high streets.

Hazel Blears: I certainly assure the hon. Gentleman that we intend to press on with our policy of putting town centres first and making sure that they are vibrant, exciting places for people to shop. We also intend to make sure that we plan properly for the impact of major retail developments. There is no contradiction at the heart of our policy making: we intend to make sure that our retail centres continue to be the sort of places to which people want to go to do their shopping and which contribute to the quality of life that is so important to all of us.

T7. [206417] **Ms Dari Taylor** (Stockton, South) (Lab): Does my right hon. Friend the Secretary of State accept that it is time that the Cabinet met outside London? I suggest that their first such meeting should be held in Stockton-on-Tees. That would give Cabinet members the opportunity to listen to, and gain experience from, local people, and to hear about the wide range of delivery of Government service.

Hazel Blears: As usual, my hon. Friend is a champion of her area. In a speech just last week, I suggested that the Cabinet might like to consider meeting outside London—

Mr. Iain Wright: In Crewe!

Hazel Blears: In Crewe, indeed. My proposal was not just for the Cabinet to meet outside London, but that it should engage with local people and schoolchildren to take evidence about what is happening in our communities. That is vital, as there is an awful lot that we can learn from the day-to-day experiences at the sharp end. I cannot promise my hon. Friend that the first meeting will be held in Stockton, but I am sure that she will be the first of many to seek such a meeting.

T8. [206418] **Laura Moffatt** (Crawley) (Lab): My right hon. Friend knows that the best way to tackle extremism is through understanding and knowledge. Crawley's Interfaith Network does a fantastic job of bringing together people of faith—and of no faith—to increase that understanding. Will she ensure that the funding that has made it possible for us to have a co-ordinator will continue, so that the network's excellent work can go on?

Hazel Blears: As usual, my hon. Friend raises an important matter, and one in which she has been particularly active in seeking to build the resilience of her local community. She will know that the Government's inter-faith strategy has been out for consultation, and I hope to be in a position to respond very soon. It is absolutely vital that we bring together people of different faiths. Very often, people discover that the major faiths in this country have far more in common than they have differences. The opportunity for people to debate and to do things together is really important. This is not just about social dialogue: it is about social action that brings people together to share experiences. That is the way we build strong communities.

Mr. Graham Stuart (Beverley and Holderness) (Con): Hundreds of my constituents are still not in their homes after last year's floods, and dozens are still in caravans. I know that, like me, the Minister is fully aware of the suffering and anguish that so many people have endured in the past year. What steps are he and the Government taking to work with the insurance industry to ensure that people get back in their homes as soon as possible, and that hundreds of people are not still out of their homes come Christmas?

The Minister for Local Government (John Healey): The hon. Gentleman is right. Something like 1,000 households are still not fully back in their own homes, and about 300 are still living in caravans in his East Riding local - authority area. So far, central Government have given his council over £6 million, and there will be more to come. I met the leader of the Association of British Insurers last week, and I shall meet the chief executives of the leading companies in a couple of weeks' time. I pay tribute to the work that they and local councils such as the hon. Gentleman's have done to try to get people back in their own homes. It is clear now that over the next couple of months we need to step up our efforts and pull out all the stops to get more people back in their own homes, certainly by the anniversary of those terrible floods last summer. That is exactly what we will do.

Adults with Autism

3.34 pm

Angela Browning (Tiverton and Honiton) (Con): I beg to move,

> That leave be given to bring in a Bill to impose duties upon the Secretary of State and certain organisations involved in health and social care in respect of support for people aged 18 and over with autism; and for connected purposes.

I declare an unremunerated interest as a vice-president of the National Autistic Society.

Autism is a lifelong condition, yet from the lack of support available to adults with autism and the lack of knowledge of their needs, people could be forgiven for believing that that is not the case. I am using the term "autism" now and in the Bill to refer to all adults on the autism spectrum, including those with Asperger's syndrome and high-functioning autism.

At this point, however, I should like to deviate from what I intended to say to welcome strongly the Government's announcement on 8 May in which they set out a number of actions in relation to adults with autism. Those actions include increasing the Department of Health's capacity to work on the issue by employing a full-time autism specialist and by having one of the Department's officials working specifically on autism, as well as undertaking research into the number of adults with autism. I believe that that is a real step forward and that those measures have the potential to make a real difference to the lives of people living with autism.

I am introducing the Bill, though, as there is still an imbalance between the increasing recognition of the need to provide support to people with autism and the action taken to meet that need. That discrepancy is highlighted in the recent National Autistic Society's report "I Exist", which details the experiences of adults with autism and the action taken by local authorities and primary care trusts in relation to autism. The report reveals that almost two thirds of adults with autism do not have enough support to meet their needs and that more than nine in 10 parents are worried about their adult son's or daughter's future when they are no longer able to support them.

I will come back to more of the findings of that report as I discuss the clauses of the Bill, but first I should like to read out a quote from the mother of an adult with autism, which I found particularly moving. She said:

> "My daughter has quite calmly said that when we die, she plans to kill herself because she knows she will be completely alone and unable to care for herself. She weeps on a daily basis because she is so scared of the future. There is nobody to help her manage her daily life, and more importantly, who will love her when we're gone?"

I believe that the duties in the Bill would be instrumental in transforming the experiences of such adults and enabling them to achieve fulfilled and independent lives.

I should like to make it clear that, when I refer to independent living, I am using the definition that the Disability Rights Commission used:

> "all disabled people having the same choice, control and freedom as any other citizen—at home, at work and as members of the community. This does not necessarily mean disabled people doing everything for themselves, but it does mean that any practical assistance people need should be based on their own choices and aspirations".

So what change is required? Well, we still do not know how many adults there are with autism in the UK, and that lack of information has a negative impact on the planning of services. More than three quarters of primary care trusts do not keep a record of how many adults with autism there are in their areas and 86 per cent. of local authorities say that if they had more information about the number of adults with autism in their areas, it would help them with their long-term planning.

The Government now intend to support a study of the number of adults with autism. That is why I am not calling for that today, but it is important that action for adults does not wait for that study to report and that that research is reinforced by action locally. Therefore, the Bill would also require local authorities and NHS bodies to identify people with autism in their areas and maintain a register of the numbers, which should also include carers.

In addition, the Bill proposes placing additional duties on local authorities and NHS bodies, because despite recent Government guidance to tackle the inaction by local services, it is apparent that not nearly enough is being done to support people.

There is a lack of clear responsibility for autism at a local level, and that needs to be addressed. First, there is currently no responsibility for autism at a senior level. The director of adult social services guidance published by the Department of Health in 2006 attempted to tackle that in part by stating:

> "Local authorities shall ensure that the DASS draws up clear lines of responsibility, within his or her staff team for managing the needs of all adult client groups,"

with autism defined as one of those client groups, yet only 39 per cent. of local authorities say that the requirement has been met. A duty on local authorities and NHS bodies to appoint a senior-level person or team with responsibility for autism is essential if the situation is to improve.

Secondly—this is closely linked to the previous point—in the majority of local authorities there is uncertainty about which team provides support for people with autism. As autism is a developmental disorder, not a learning disability or a mental health problem, many adults with autism, particularly those with Asperger's syndrome or high-functioning autism, are passed over by both teams, receiving no proper help from either. More than 60 per cent. of adults with Asperger's syndrome or high-functioning autism say that they have experienced problems when trying to receive support from their local authority or health services. Of those, 52 per cent. were told that they did not fit easily into mental health or learning disability services.

That is perhaps unsurprising, given that nearly half of local authorities say that they do not have a process in place to manage how people with autism who do not fulfil the learning disability or mental health criteria receive support. As one local authority said,

> "service silos means ASD doesn't fit. ASD falls between service areas".

[Angela Browning]

The structural disadvantage that adults with autism frequently experience is a major factor in poor outcomes, and many adults' problems go unaddressed. The Bill therefore requires local authorities and NHS bodies to establish and publish a route by which all persons with an autism spectrum disorder may access assessments and any resulting care.

Thirdly, there is a worrying absence of references to autism in many strategic planning and commissioning documents produced by local bodies. Commissioning strategies should include the requirements of people with autism. To bring that about, it is essential that local authorities and partner NHS bodies have regard to the requirements of people with autism in their area when undertaking joint strategic needs assessments. Many areas are still to publish their joint strategic needs assessments, but it is clear from those that have done so that many assessments do not cover adults with autism. That is not acceptable.

Fourthly, the Bill would require local authorities and NHS bodies to secure sufficient training about autism for staff who are in regular contact with people on the autistic spectrum, and those involved in assessment. It is of great concern that more than 70 per cent. of local authorities do not believe that care managers receive sufficient training about autism either in their initial professional training or as part of their ongoing professional development. That is perhaps unsurprising, given that more than three quarters of local authorities do not have an autism training strategy at all.

Some 98 per cent. of local authorities and 100 per cent. of primary care trusts say that the Government could provide them with more guidance and assistance to support adults with autism, so there is near-universal demand for more support. From that it can be concluded that there is a recognition that existing work and initiatives have not gone far enough. The Bill therefore calls on the Secretary of State to ensure that there is regional support to assist local authorities and NHS bodies in taking forward good autism practice. The Bill intends to address the inactivity in relation to autism, particularly locally. It is time to recognise that it is unacceptable for adults with autism to continue to be socially excluded. We know what change is required; we now need action from local services to make that change happen.

Question put and agreed to.

Bill ordered to be brought in by Angela Browning, John Barrett, Roger Berry, Mr. Tom Clarke, Mr. Geoffrey Cox, Michael Fabricant, Mrs. Janet Dean, Mr. Frank Field, Mr. Bernard Jenkin, Anne Main and Mr. Andrew Turner.

ADULTS WITH AUTISM

Angela Browning accordingly presented a Bill to impose duties upon the Secretary of State and certain organisations involved in health and social care in respect of support for people aged 18 and over with autism; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 17 October, and to be printed [Bill 111].

Orders of the Day

Human Fertilisation and Embryology Bill *[Lords]*

[2ND ALLOTTED DAY]

(Clauses Nos. 4, 11, 14 and 23, Schedule No. 2 and any new Clauses or new Schedules relating to the termination of pregnancy by registered medical practitioners)

Further considered in Committee [Progress, 19 May].

[SIR ALAN HASELHURST *in the Chair*]

Clause 14

CONDITIONS OF LICENCES FOR TREATMENT

3.46 pm

Mr. Iain Duncan Smith (Chingford and Woodford Green) (Con): I beg to move amendment No. 21, page 9, line 10, leave out paragraph (b) and insert—

'(b) after "father" insert "and a mother".'.

The Chairman of Ways and Means (Sir Alan Haselhurst): With this it will be convenient to discuss the following amendments:

No. 12, page 9, line 10, after 'parenting', insert 'and a father or male role model'.

No. 22, in clause 23, page 19, line 6, leave out from '(2)' to end of line and insert—

'after 'father', insert 'and a mother.'.'.

No. 13, page 19, line 6, after 'parenting', insert 'and a father or male role model'.

Mr. Duncan Smith: I shall speak to amendments Nos. 21 and 22, which are in my name and in the names of right hon. and hon. Members in all parts of the House. I should explain why, in the amendments, we have gone slightly further than the debate with the Government over whether the word "father" should be in the clause. We propose to retain the wording "a father" and add "and a mother".

In the Government's consultation, they received an overwhelming amount of correspondence from the public in favour of a reference to fathers and mothers. More importantly perhaps, clause 54(2)(c) refers for the first time in the Bill to gay couples acting as fathers, and I believe that in the interests of balance, there should be a reference to mothers. We propose to amend the Bill accordingly.

Since 1990 there has been a huge amount of research on the effect of absent fathers, demonstrating an increasing understanding of the importance of the role that fathers play in the home. That is not to suggest that if a family breaks up and the father leaves, that is simply bad for the children: research that we published recently, which was drawn from more than 3,000 evidence sessions, showed that the effect on those broken families is remarkable—75 per cent. of the children are more likely to fail at school, 70 per cent. are more likely to succumb to drug addiction, 50 per cent. are more likely to have serious alcohol problems, and 35 per cent. are more likely to experience some form of unemployment or welfare dependency.

The research highlights the fact that fathers bring something more profound to the parenting process, which has for too long been taken for granted. In some cases people are determined that it should not be discussed. One set of evidence published as recently as 2007 by the Joseph Rowntree Foundation states:

> "Maternal 'inputs' are not consistently correlated with indices of their children's development once they enter secondary school, whereas paternal 'inputs' *are* so correlated. Indeed, there is an indication that teenagers' sense of self-worth is predicted by the quality of their play with their fathers some 13 years earlier."

The report goes on to say that that

> "has demonstrated links between parental reports of father's involvement at the age of seven and lower levels of later police contact as reported by the mothers".

Obviously, that makes the strong and profound point that the effect of fathers on both sexes during the teenage years is important.

Something of which I had not been aware came from the research that we have conducted in the past two and a half years, and I should like to put it before the Committee. It is simply this: the effect that absent fathers have on young girls too. That issue is often forgotten. We always hear of the effect of a father's absence on young boys in respect of the whole issue of role modelling and giving them a stable beginning. However, in Britain we have some of the highest levels of under-age sexual activity, particularly among young girls, and there is very strong evidence to suggest that the effect of an absent father is to distort that further. That is because young girls more often learn empathetic and non-conditional love—something important and profound—from their fathers. They learn that it is possible to have a relationship that does not necessarily involve sex. We all know about the pressures that a young girl is under from young boys at such a time, and her relationships may have to countenance sex at an early stage. From most of the studies, it is clear that the absence of a base from which to understand how far such relationships need to go has a huge effect on such daughters.

The studies that we have been considering show consistently that such girls lose out in a way that we have not understood or even talked about enough. We know all about how sons need stable father figures who give them decent modelling, such as going out to work and having a creative relationship with the mother; however, the absence of a father is as significant for a daughter as for a son. The evidence on young daughters is also absolutely critical.

Mr. George Howarth (Knowsley, North and Sefton, East) (Lab): I am very grateful to the right hon. Gentleman. I apologise for intervening so early in his speech, but he was moving on to another point.

Although I accept as an ideal a great deal of what the right hon. Gentleman says, does he not accept that there are bad fathers, and that bad fathers can have a bad influence in some circumstances? The picture is not always as rosy as he paints it.

Mr. Duncan Smith: It is far from rosy, and I am not trying to paint a picture in which the simple arrival of a father makes a huge difference, regardless of what has happened with him. There are plenty of very bad fathers out there; there are fathers who are absent but arrive at particular periods and cause mayhem. We know about that. In many of the areas that I spend a lot of time visiting at the moment we see much of that. We also know about the problems surrounding those who are loosely described as stepfathers, but whom we might call "friendly father arrivals". Such men are not related to or involved with the child, and levels of abuse can follow—not sexual abuse necessarily, but violence, possibly against the mother. As the right hon. Member for Knowsley, North and Sefton, East (Mr. Howarth) knows, violence against women is at very high levels and rising.

We know all about those problems. I am not trying to paint some incredibly rosy picture. However, my point is that, on the whole, the absence of fathers has a detrimental effect on children; the vast majority of fathers are more likely to be positive influences if they are connected to and held to the family for various other reasons.

Dr. Evan Harris (Oxford, West and Abingdon) (LD): May I bring the right hon. Gentleman from the general to the specific? We are dealing with the duty on clinics when they consider applications from lesbian couples and solo parents. Does he consider that lesbian couples with children are broken families, to some of which he attached the litany of concern that he rightly has? If he does, what evidence does he have that children with lesbian parents are going off the rails?

Mr. Duncan Smith: I do not consider them to be broken families. We do not have enough data to understand exactly what the nature of the outcomes is—I shall come back to that point in a second.

We know that absent fathers have a detrimental effect on their children. That is found up and down the income scale—the percentage effect is exactly the same for people living in Chelsea as it is for people living in difficult parts of Lambeth. It is not about whether the families are broken—I used the word "broken" because they are without a father. Cohabiting and gay couples are slightly different. I shall deal with the subject of gay couples in a moment, and I hope that that will explain a little more to the hon. Gentleman.

Mr. Gerald Howarth (Aldershot) (Con): I wonder whether my right hon. Friend is aware of the study carried out by the Office for National Statistics about six or seven years ago? It found that the incidence of behavioural disorder in 11 to 16-year-old boys was up to three times higher in households where there was a single parent or where the parents were cohabiting than it was in those households where the parents were married. That is a real issue, facing our people day to day in our streets and cities throughout this land.

Mr. Duncan Smith: I do not want to go down that road, but I will say this as a link to the intervention by the hon. Member for Oxford, West and Abingdon (Dr. Harris): the issue with regard to cohabiting is the scale of break-up. We know from the reports that have been done—we have seen endless reports and we are just beginning to get through some of them—that 50 per cent. of cohabiting relationships are likely to break up. One in two will break up before the child is five. That is an enormously high figure; the highest level of

[Mr. Duncan Smith]

divorce for married couples with a child is one in 12. There is a particular problem with cohabitation, which brings me neatly to the Bill, because there is no recognition in it of family ties: as long as the people involved are considered to be "stable" or in loving relationships, treatment should be available. That is how the Bill stands, which makes it even more important that we reintroduce the recognition of the need for a father, because we are dealing with the strong likelihood that there are cohabiting couples who will want to undergo such treatment, and such a change would act as a strong reminder to them, much as it will do to lone parents.

The Minister of State, Department of Health (Dawn Primarolo): The right hon. Gentleman is making general points about single parents. Can he tell the Committee what evidence he has that his assertions apply to couples who approach IVF clinics and are in receipt of such treatment? Research shows the contrary of what he is suggesting.

Mr. Duncan Smith: I do not believe that there is such a debate about research. The trends may or may not be ameliorated slightly, but over time I suggest that the level of break-up for cohabiting couples will be higher, even for those receiving IVF, than it will be for married couples. That is the nature of such relationships. I am not going to debate that with the Minister, but it is a fact. I do not think that that will change, regardless of IVF. The right hon. Lady says that I am speaking generally, and I am, because I am making a point about why there is a problem, and why the need for fathers is so important.

Mark Simmonds (Boston and Skegness) (Con): My right hon. Friend is making an articulate and powerful speech. Is he aware that despite the fact that it is necessary for clinics to consider the need for a father, there is no evidence that there has been any discrimination against same-sex couples or single mothers in accessing treatments?

Mr. Duncan Smith: My hon. Friend makes me jump ahead of myself. I shall come back to that point in a second because I do not believe that there is any such evidence; I agree with him on that.

Emily Thornberry (Islington, South and Finsbury) (Lab): Will the right hon. Gentleman give way?

Mr. Duncan Smith: If the hon. Lady wants to intervene on that point, she will be able to so in a moment, because I am coming to it.

To conclude the point about cohabiting parents, I suggest that it is the nature and the break-up of such relationships that put children in such difficulty. Recognising in the Bill that it is important for people to understand the importance of the father in a relationship can only strengthen their thought process as they go through this course of action and will hopefully act as a reference for them in the future. We cannot promise anything, but taking it away will have exactly the opposite effect. It is as though we are saying to couples, especially in the heterosexual world, that fathers are less important than mothers and that, therefore, they do not need to be considered. There is little research that any of us can claim one way or the other about outcomes for gay and lesbian couples. I draw no inference from that other than that we need more research, and I am sure that that will come in time. I—like everybody else, I hope—would want such relationships to prosper and for any child to benefit in such stable, successful relationships. I believe that the amendment would help and not act against that.

4 pm

David Taylor (North-West Leicestershire) (Lab/Co-op): I am pleased to co-sponsor the amendment. Is it not the case that the current legal framework was fashioned two decades ago when child development theory appeared to focus almost entirely on the relationship with the mother? In the past 20 years, so much evidence has emerged of the sort that the right hon. Gentleman adduces in his well argued speech that it would be perverse to write the father out of the script, as the Bill would do if left unamended.

Mr. Duncan Smith: I agree. The Government's action is unnecessary and they have overreacted—I shall deal with that shortly. Stonewall described the change today as a tidying-up exercise, but my problem is that when one tidies up, one can also tidy out. We need to be conscious of what may be lost, and balance it against what may be gained.

Why do the Government need to make the change? Some in the gay and lesbian community will feel uneasy about the original guidance on the father, and they will have made representations. They will probably feel some unease about the amendment. I am sympathetic to that, but the key point is that unease does not mean that there is discrimination. To what extent is there discrimination? Is there simply a sense of unease that does not change any outcomes? The Government's position is that they need to remove the original clause, which referred to the father, because they perceived it as discriminating against gay or lesbian couples.

I was struck when reading the debates in the other place by the fact that the Government spokesperson made such an absolute case. He is not a lawyer but he made a case that would brook no opposition because, according to him, the original clause clearly contravened the convention on human rights and that was that. However, I do not believe that even the strongest proponent of the Government's view would go as far as that here. Even Lord Lester says that there is a strong case, but his published views state that the matter is confusing and fraught with contradictions. We must consider whether the original provision somehow constituted an abuse of rights.

Dr. Harris *rose—*

Mr. Duncan Smith: I will give way shortly to the hon. Gentleman, who is easing forward on his seat. He has been active in the past two days and I want to keep him rested because he has further to go. I hope that he recognises that I have his best interests at heart.

I have not heard in our discussions about any couples who have gone to a clinic and been refused on the ground of the existing clause.

Emily Thornberry: The right hon. Gentleman has made that assertion in this place and elsewhere, and I have therefore caused it to be investigated. I do not know whether he is familiar with the Birmingham women's hospital, where the eligibility criteria for Birmingham-funded treatment and entry on the waiting list for assisted conception include:

> "A stable, heterosexual relationship of two years minimum."

That is direct discrimination against lesbian couples and single women. If the right hon. Gentleman wants an example, there it is.

Mr. Duncan Smith: That was a great try by the hon. Lady, but it does not work. I am debating what is in the Bill. The reality is that clause 14 is an advisory clause. Let me remind her how the Bill is phrased. It requires that account be taken of the welfare of the child,

> "including the need…for a father",

and, if our amendment were passed, a mother. Nowhere does the Bill say that if that situation does not pertain, people will be not be allowed that treatment. Should anybody attempt not to allow such treatment after the Bill is passed, it would be illegal.

Andrew Selous (South-West Bedfordshire) (Con): May I take my right hon. Friend back to his point about human rights law, which was referred to in the other place? Does he agree that it is a little curious that human rights law seems to look purely at the view of the adult? What about the child? Does a child not have the right to be born with a father? Is that not the most fundamental human right that any child in the world could ask for?

Mr. Duncan Smith: I am going to come to that in a second.

Mark Simmonds: I am grateful to my right hon. Friend for giving way again. The hon. Member for Islington, South and Finsbury (Emily Thornberry) made an intriguing intervention, because under Human Fertilisation and Embryology Authority guidelines, discrimination for treatment on the basis of sexual orientation is not allowed. That clinic in Birmingham is therefore breaking HFEA guidelines.

Mr. Duncan Smith: I was coming to that, too. My hon. Friend is quite right. The point is that protection already exists under human rights legislation and is embedded in the Bill.

Emily Thornberry *rose—*

Mr. Duncan Smith: The hon. Lady will have to wait—she has had her shot and I want to finish this point. The reality is that what has been described cannot happen and should not happen. My answer, therefore, is that we will not see it happen.

Sir Patrick Cormack (South Staffordshire) (Con): Does my right hon. Friend accept that a good many of us wish that the situation were as described by the hon. Member for Islington, South and Finsbury (Emily Thornberry)?

Mr. Duncan Smith: I enjoy my hon. Friend's interventions, as ever.

Dr. Harris: On the European convention on human rights, the House is advised by the Joint Committee on Human Rights, which includes Members of the right hon. Gentleman's party. In a unanimous report, the Committee stated that "Without justification, such distinctions"—the distinctions that he wants to put into the Bill—

> "may be in breach of the right to respect for private life without discrimination".

The report continued:

> "Similarly, the Convention prohibits unjustified discrimination"—

he has not shown justification for his position—

> "between married and unmarried parents for the purposes of recognition of parental responsibility, or wider family law decisions on access and custody."

The Committee went on to say that that needs to be removed in order for the provisions to comply. If the right hon. Gentleman is relying on people being able to go to the law, rather than having law that does not discriminate, I would suggest that he has got the law the wrong way round.

Mr. Duncan Smith: I am grateful for that intervention, but I simply do not agree, and I am not alone in that—there are human rights lawyers out there who do not agree with those recommendations either. I have a brief here from a human rights QC, who says that lawyers do not believe that that is how the Bill will be seen. In reality, the Government have set themselves on siding wholly with the rights of the adult. The truth, however, is that the rights of the child must also be a paramount consideration. That is the point for those who deal in this area. For instance, the UN convention on human rights and the ECHR both make it clear that the rights of a child to have such parents is the paramount consideration and that no element can override that.

The hon. Gentleman makes his point, but it is worth saying in return that I have some advice on the ECHR recommendations which is about whether it is necessary to override the rights and freedoms of others, and which would prevail. It continues:

> "This works both ways in the circumstances of this Bill. The child once born has Art. 8 rights which should not be interfered with for the protection of the rights and freedoms of"

anyone, including

> "same sex parents unless…'necessary'".

The advice continues:

> "'Necessary' here means something that is clearly required…not…anything that is thought to be socially convenient at any particular time."

The issue is the well-being of the child, not, in this case, the well-being of the adult concerned.

Several hon. Members *rose—*

Mr. Duncan Smith: If hon. Members will allow me, I shall make a couple of minutes' progress, then I promise that I shall give way generously. I understand that many hon. Members want to get involved. I have some other advice relating to other cases in which this matter has been raised before. For example, a 1990 custody judgment involving a minor featured this statement about the balancing of rights:

[Mr. Duncan Smith]

> "The question was not where"

the individual child

> "would get the better home. The question was: was it demonstrated that the welfare of the child positively demanded the displacement of the parental right."

That is the key to what we are saying. My view, and I believe that of eminent lawyers, is that this is a balance of rights, and in the end, in the case of human rights, the courts must place as paramount the rights of the child.

Geraldine Smith (Morecambe and Lunesdale) (Lab): To most people outside the House, the right hon. Gentleman is simply talking common sense; they must wonder why we are even having this debate. Is it any wonder that people think politicians are out of touch with ordinary people when we have such debates? It is nonsense to suggest that we should not take into account the need for a father. We are not insisting that single women or lesbians do not have IVF treatment; the only thing we are saying is that there should be a father figure somewhere, who may be a grandfather or another relative. Many single parents depend on father figures, whether they are grandparents or other relatives. It is just pure common sense, and the fact that we are even debating it is ridiculous.

Mr. Duncan Smith: The more I listen to the hon. Lady, the more I am in danger of agreeing with her. I have to say that she is right, because we have to come back to the single point at stake; we should not be dancing on the head of a legal pin, but recognising common sense and what most people say. I shall come back to that point. On the legal debate, I simply say that I recognise that when two lawyers are in a room, there will be five or six opinions at a minimum, and one can take it whichever way one likes. I want to return to the question of where the balance lies. That is what the hon. Lady has just said, and I want to move on to it now.

Emily Thornberry: Is there not a central contradiction in the right hon. Gentleman's argument? He began by saying that there are many reasons for discriminating against single parents or lesbian couples where no father is in the picture, but went on to say that we should have legislation on which four or five lawyers will come up with different opinions, when the alternative is something straightforward that cannot in any circumstances be seen as discriminatory by him or anyone else.

Mr. Duncan Smith: I do not think it discriminatory to remind people of the importance of the role of the father. Why is that discriminatory? Why does the hon. Lady want to introduce a Bill that is against the idea of fathers in any respect?

Emily Thornberry *rose—*

Mr. Duncan Smith: With respect, I am going to finish this. The hon. Lady may not like it, but she is going to get it. I have to say to her that that is utter nonsense. Those who signed up to the amendment and who agree with me are simply saying, "Come on, this is common sense." All we are saying is that we should take into consideration the need of a child for a father, not, "If there is no father, you will never get treatment." We are suggesting only that that be considered. *[Interruption.]* That is nonsense and the hon. Lady knows it; it is what is in the Bill that counts.

Several hon. Members *rose—*

Mr. Duncan Smith: I want to move on to some conclusions, as I recognise that others wish to speak.

John Hemming (Birmingham, Yardley) (LD): I have found some of the evidence rather surprising, given that the Human Rights Act 1998 takes precedence in how legislation is interpreted, which means that the legislation could not be properly interpreted as preventing lesbians or single women from receiving help in conceiving. About two minutes ago, I printed out the frequently asked questions section from the website of the Birmingham Women's Health Care NHS Trust assisted conception unit. One question is:

> "Do you treat single women and lesbian couples?"

The answer is:

> "Yes, these are reviewed on a case-by-case basis as with all our patients."

Mr. Duncan Smith: I must say to the hon. Gentleman that technology is a lovely thing, and while the hon. Member for Islington, South and Finsbury (Emily Thornberry) may not have liked it from me, she certainly is not going to like it from him.

All I want to say by way of conclusion to my hon. and right hon. Friends, and in this context to my hon. Friends across the Floor who have signed up to and agree with the amendments, is the following. I simply say that this comes down to the Government, to a balance of judgments, to the rights of the child versus the rights of adults, and to the importance of fathers and the demonstrable body of evidence regarding the effect of absent fathers on children and families.

We must balance all those considerations. Nothing is absolute. I am not for one moment saying to the Government that I am absolutely right; I am saying that there is a strong level of doubt about the Government's position. They need to argue the case in almost absolute terms, because it is they who are setting out to do away with the existing code. It is they who are doing away with it, not me. I am simply standing for the status quo and arguing—as ever, with legislation—that they must make their case and we will listen to it. However, the case has not been made, and I do not believe that it exists.

4.15 pm

Ms Dari Taylor (Stockton, South) (Lab): Will the right hon. Gentleman give way?

Mr. Duncan Smith: No.

There might be an element of doubt, but the Government are playing absolutes over this. They say that this provision absolutely contravenes human rights, but I say that it does not and that their evidence is insufficient.

Ms Taylor: Will the right hon. Gentleman give way?

Mr. Duncan Smith: I am concluding my speech, so if the hon. Lady will forgive me, I want to let other hon. Members get in.

In regard to the way in which the advisory section should work, I believe that clinics should be sensitive to the needs of all parents, as I have stressed from the beginning. If they are sensitive, when the requirement comes up for people to take cognisance in this way, even gay and lesbian couples will think about it. It is a great prompt to allow people to think, "Yes, maybe we'll have to find some way round that. We'll have to do something". As the hon. Member for Morecambe and Lunesdale (Geraldine Smith) has said, people will try because it is important. That is all that we want. We want people to recognise that fathers have a major role to play, and if they are not around, let us find a way of ensuring that their influence can still be felt.

What is important for hon. Members tonight is that they do not sit here thinking, "I am right." Rather, everyone in the House should examine their conscience and ask themselves on the basis of the balance of this argument whether they are in any doubt at all. If any Member of the House has a shade of a doubt about whether to support the amendments, I ask them to remember that it is the Government who have made the case for stripping the provision out. We have not made that case. They are the radical proponents here, not us. We are arguing for the status quo. Anyone with a scintilla of doubt in their mind should vote for the amendments, and for the status quo.

Several hon. Members *rose—*

The Chairman: Order. Before I call the next hon. Member, may I gently remind hon. Members that we are in Committee and not sitting as a House?

Emily Thornberry: I am grateful to have an opportunity to answer the points made by the right hon. Member for Chingford and Woodford Green (Mr. Duncan Smith) in full. If we are talking about scintillas of doubt, confusion or misunderstanding, I certainly believe that that has been begun by his contribution today. On the one hand, he has said that, if the provision is discriminatory, the Human Rights Act 1998 will protect lesbian couples and single women. On the other hand, he says that the Act should not be the machinery—

Mr. Duncan Smith: With respect, I did not say that it was discriminatory. I said that it was not discriminatory, and that people are protected by the convention on human rights.

Emily Thornberry: So, on the one hand, the Human Rights Act can deal with any problems that might arise as a result of the wording of the provision, but, on the other, the Act should not be the engine that is pushing the Government to change the law in order to avoid any doubt. The right hon. Gentleman has stated that there are 50 opinions for every lawyer who looks at this question, yet he is against trying to clarify the law.

Mr. William Cash (Stone) (Con): The hon. Lady might care to reflect on the fact that Parliament decides such questions. If we decide to do so by legislating inconsistently with the Human Rights Act, it is crystal clear that we can decide on the amendment tabled by my right hon. Friend the Member for Chingford and Woodford Green (Mr. Duncan Smith), which would override the provisions of the Human Rights Act provided that we use the words "notwithstanding the Human Rights Act 1998" in the amendment.

Emily Thornberry: Well, that's all right, then—*[Interruption.]* I have already pointed out one example of overt discrimination, relating to the eligibility criteria used since November 2006 at Birmingham women's hospital. I am told that questions are frequently asked on the web—understandably, given the published eligibility criteria—as to whether or not lesbian couples and women are being discriminated against.

John Bercow (Buckingham) (Con): Will the hon. Lady give way?

Emily Thornberry: Let me finish the point, and then I will.

My point is this. Frequently asked questions and the answer are one thing, and an overt piece of discrimination is something else. If there is a lack of clarity in the current law, we have an opportunity to sort it out today. If we were to confirm the need for a father, to add the need for a mother or to move away from the carefully thought out wording proposed by the Government, there would be increased confusion—or, worse, no clear law at all. Many hospitals would have eligibility criteria for IVF treatment as explicit as that published in Birmingham, so we would then have to wrestle with the Human Rights Act.

Frankly, why, in the 21st century, are we doing this? Why are we putting ourselves in such a position? Why are we saying, "We are not really overtly discriminating against lesbians or single women, but if we are, the Human Rights Act will sort it out, even though the Human Rights Act does not apply at the moment"? Why? *[Interruption.]* I always worry when people say that they are only applying common sense, because all too often common sense is a cover for discrimination, narrowness and an inability to face the 21st century.

John Bercow: I personally thought that the hon. Lady provided a compelling example of discrimination and that the attempted rebuttal was profoundly unpersuasive. Is she aware of another example of a lesbian couple who went to an IVF clinic in pursuit of treatment and were told in terms that their best option would be to go to the pub and find themselves a man? If that is not discrimination, it is not entirely obvious what is.

Emily Thornberry: The difficulty is that lesbian couples or single women who wish to have children will be influenced by the current confusion, which will be perpetuated by the amendment suggested by the right hon. Member for Chingford and Woodford Green.

Geraldine Smith: *rose—*

Emily Thornberry: Let me finish the point first.

Those people will continue to be confused and will end up believing that IVF is not for them. In that case, they may well go out to a pub and get pregnant or try other informal means of doing so. The disadvantage is

[Emily Thornberry]

simply this: there will be no details of the biological father on the register, yet that will become increasingly important as time goes on. As a result of the amendment, no more fathers will be brought into any more families. That is the central point. It is important to give legal rights to lesbian couples and single women. As far as lesbian couples are concerned, we will then at least have two legally recognised parents instead of just one. What is wrong with that?

Geraldine Smith: I think that my hon. Friend displays a very patronising attitude towards lesbian women. I do not think they will be that confused by someone saying that if they go for IVF treatment they will have to take into consideration the welfare of the child and the need for a father. I would have thought that that was pretty easy to understand; my hon. Friend may think that that is difficult, but surely most reasonable people could understand it. Most people, including lesbians and single women, might well think that that would be a good thing. Unless they absolutely hated men, they might well like a positive male role figure in the child's life. It is good to have a father figure in a child's life. Do colleagues think that it is nonsense to have a male figure involved in a child's upbringing? Might it not be a good thing, if possible, or should it not at least be taken into consideration? I think that some colleagues display the fact that they are way out of touch—

The Chairman: Order. The hon. Lady is making a very long intervention, which is bordering on a speech. She was also making it in a direction that made it very difficult for me, and the *Hansard* reporters, to hear.

Emily Thornberry: It may well be the case—I certainly hope that it is—that before deciding to have children, people will appreciate that those children must be brought up in loving households. In my experience, based on the lesbian mothers whom I know, before they make the very serious decision to have children in what is not, in all circumstances, the most liberal of worlds, they look to the welfare of the child and to how they can best bring that child up. They do not need a doctor who is not trained in and has no particular experience of these matters to give them counselling on what sort of father figure they should seek, how long that father figure should be involved in their lives, and exactly what "father figure" means in what circumstances. It is not for a doctor to make that sort of decision.

We should trust the good sense of parents—of women—who do not need to be patronised by anyone, or told how they should bring up children. Motherhood is a serious matter, as is fatherhood, and we should allow parents to make serious decisions themselves.

Tim Loughton (East Worthing and Shoreham) (Con): In the hon. Lady's common sense-free world, what takes precedence, the supposed right of adults to have children or the actual right of a child to have access to and enjoyment of both parents during his or her upbringing?

Emily Thornberry: I am very concerned about some of the comments that are being made by Conservative Members about children with single parents. I had only a mother to bring my brothers and me up. I am all right, and my brothers are all right. Of course we relied on other adults who were brought into our lives via our mother and our experience of life: many role models are available to children. Members should not make blanket judgments about children and families, and they should not demonise such a large number of children.

Sandra Osborne (Ayr, Carrick and Cumnock) (Lab): Does my hon. Friend agree that what purports to be common sense is reminiscent of the "back to basics" campaign of the past? Is not the insistence on a male role model for lesbian couples tantamount to saying that lesbian families are not proper family forms?

Emily Thornberry: That is absolutely right.

Several hon. Members *rose—*

Emily Thornberry: As I am nearing the end of my speech, perhaps I should take some interventions now.

Mr. George Howarth: I am grateful to my hon. Friend, who is being very generous in giving way. Does she agree that the world that she is describing is not so much a common sense-free world as the real world? In the real world, there are bad fathers and sometimes bad mothers. There is no ideal version of the right combination of parents in every circumstance.

Emily Thornberry: I am very glad to hear such good sense.

Sir Patrick Cormack: I am extremely grateful to the hon. Lady for her generosity in giving way. Whatever may be the case in Islington, in Staffordshire it is actually thought normal for a child to have a mother and a father. Does the hon. Lady think it is equally normal for a child to have two mothers?

Emily Thornberry: I think it is wrong to make judgments about families, and to tell one family that they are normal and another family that they are abnormal. I think it wrong for a seven-year-old to be pushed to the edge of a playground and teased or vilified; I think it wrong to vilify single parents; and I think it wrong for the law to discriminate against lesbian couples. In this day and age, we should pass the Bill unamended.

Robert Key (Salisbury) (Con): I know that people have asked why on earth we are debating this issue, but I am very glad that we are debating it. I was a member of the Joint Committee that considered the draft Human Tissue and Embryos Bill, as it then was, last year. We recommended

> "that the proposal to remove the 'need for a father'…should be put to a free vote of both Houses of Parliament. To inform that vote, the balance of view of this Committee is that it would be detrimental to remove entirely the requirement to take into account the 'need for a father'."

I was one of the Committee members who changed their minds during the submission of evidence. A number of peers, of both sexes, also changed their minds. The reason was very straightforward. I was always concerned about the broader principle of our approach to this proposed legislation. The first point was that both Houses of Parliament should set the legal framework and be the de facto bioethics commission for this country, and then once we have set the legal framework it should be for the Human Fertilisation and Embryology Authority to regulate—not the regulatory authority for tissue and embryos, which was going to be the body but which the Government then abandoned, but another body, and in terms laid down by Parliament.

4.30 pm

We also made it clear that the final decision on an individual case of in vitro fertilisation treatment should be taken between the mother, the clinician and the husband or partner—that the decision should be taken at the lowest possible level. Our Committee also made it clear that we would take into account the situation regarding civil partnerships and how that had changed attitudes and how adoption and fostering authorities would not discriminate against same-sex couples: the current law does not prevent single-sex couples from adopting or fostering, or, indeed, from having IVF treatment.

In the evidence we took, it was made clear to us that single-sex couples could provide a warm background that was stable and loving, and that could be a lot better than that provided by an unhappy heterosexual family where the father abused the mother, or came home late and drunk, or hit the children. There was no question in our minds that a single-sex couple could be very good foster parents or adoptive parents. That was not the issue. What was particularly interesting was the question of why on earth this ever came near the Bill in the first place: why was there a need to take it out?

We discovered the answer to that, too. We did so on 6 June 2007, when the hon. Member for Norwich, North (Dr. Gibson) was interrogating Mr. Ted Webb, the deputy director of scientific development and bioethics at the Department of Health. The hon. Gentleman asked that erudite official why it had been decided to remove the need for a father. Mr. Webb told the Committee:

> "From a legal point of view the legislation at the moment"—

the new clause that takes out the need for a father—

> "does not actually seem to achieve anything. So we have looked at it from a legalistic point of view more than anything else. It does not prevent treatment being provided to single women or same-sex couples, and also does not seem to fit too comfortably with the Government's wider civil partnerships policy. So I think that is really our starting point for recommending that the need for a father reference is taken out of the legislation".

Mr. Desmond Swayne (New Forest, West) (Con): My hon. Friend brings to our attention a remarkable piece of information, and it is a great shame that the hon. Member for Islington, South and Finsbury (Emily Thornberry) is not present to hear it, as, against all the conventions of this House, she has made her speech and pushed off.

The Chairman: Order. In fairness to the hon. Lady, I should say that there is a Division in the Finance Public Bill Committee and she asked my permission to attend that.

Robert Key: I am grateful for that information; the record has been put straight, and I will not go there.

We also took evidence from a lot of specialists and academics in this area. One of the most interesting evidence sessions involved academics from Oxford, Cambridge and elsewhere. Professor Ann Buchanan of Oxford university was asked about the need for a father. She said that

> "the evidence for the roles of fathers is important,"

and that she and her colleagues had conducted two major studies which show that father involvement

> "is strongly related to children's later educational attainment. Children with involved fathers are less likely to be in trouble with the police. Father involvement is associated with good parent-child relationships in adolescence. Father involvement protects against adult experiences of welfare and later mental health problems and it applies in different ways to both girls and boys".

That was pretty convincing, so we then listened on the same day to Professor Susan Golombok, from Cambridge. When asked about the need for a father, she said:

> "In a way, it is common sense…so that fathers who are highly involved with their children, are emotionally available to their children, warm to their children and also exert a reasonable level of discipline have better adjusted children. These children also do better at school and they have better relationships with peers and so it spreads out into their wider social circles. The other side of that coin is that in families where fathers are not very involved or who are anti-social in their behaviour, who are not good parents—begging the question of what that means—the outcomes for their children can be negative. Really, it all comes down to the quality of parenting offered by fathers which makes a difference to outcomes for children."

That was pretty clear, but on Second Reading—

Dr. Evan Harris: Does the hon. Gentleman not recognise what Professor Golombok went on to say in the same session? She said:

> "Families are all very different and you find very good relationships in single-parent families and you find two-parent families with bad relationships so I do not think that you can really generalise in that way."

She continued:

> "What I was trying to say…is that in lesbian mother families where two women are heading the family, the presence of two parents seems to be more important than the fact that one parent is male. It is the relationship rather than the gender."

Robert Key: Yes, and she also said:

> "To my mind, it suggests that the idea that a mother and a father are both a good thing on the whole for children, and also some basic assumption about the structure of family life is undeniable."

Mr. Phil Willis (Harrogate and Knaresborough) (LD): Was that not the very reason why the Committee came to its conclusion regarding two supportive parents? The overwhelming evidence that we got from Professor Golombok and, indeed, from the other academics, whether they were in support of a male figure within the household or whether they were giving evidence on lesbian couples—Golombok is the leading expert on lesbian couples—was that the supportive family unit was important, which is why we made the recommendation that we made.

Robert Key: I am very grateful to the hon. Gentleman, who was the distinguished Chairman of the Joint Committee, which came to the conclusion that I started my speech with.

Dr. Ian Gibson (Norwich, North) (Lab): Can the hon. Gentleman tell us what the vote was on that issue, and how it came out the way that the Chairman of the Joint Committee has just described?

Robert Key: Off the top of my head, I cannot remember the vote, I am afraid, but I would be grateful if the hon. Gentleman enlightened us.

Dr. Gibson: It was seven votes to seven, and the Chairman's casting vote turned it the way it did.

Robert Key: The hon. Gentleman has the advantage—I cannot remember that bit of the story. However, that does not detract from the case I am making.

My final quote comes from the Second Reading of this Bill in the other place, on 19 November 2007. By this time, the Government had come to a number of conclusions and had rejected some of their earlier proposals. One of the arguments being proposed was that, if we did not do away with the need for a father, that would discriminate against all single mothers. That was attacked head-on by the Archbishop of York, who said:

> "However, there is all the difference in the world between children who find themselves in a single-parent family through bereavement or breakdown of parental relationship, and those who find themselves in that situation by design...If discrimination is indeed the issue here, surely the greater discrimination is in ensuring that a child will never have any chance of knowing its natural father".

He concluded by saying:

> "The child's right not to be deliberately deprived of a father is greater than any right to commission a child by IVF."—[*Official Report, House of Lords,* 19 November 2007; Vol. 696, c.705-6.]

Dawn Primarolo: Does the hon. Gentleman therefore accept that, if single women and lesbian couples are driven away from regulated IVF clinics to other methods in order to have children, their children will never know who their natural father is because they will be outside the protection of the regulation of IVF services?

Robert Key: If the Minister's nightmare were to come true, she would be right, but I do not believe that it is the situation or would be in the future. When I discussed the issue of parenthood among lesbian couples with a lesbian couple who are constituents of mine, they made it clear that this does not feature on their radar screen at all.

Dawn Primarolo: In that case, would the hon. Gentleman like to explain why it was necessary to amend the Human Fertilisation and Embryology Act 1990 to prevent internet access to unscreened sperm for precisely the purpose that we are discussing?

Robert Key: That is a very important issue, but as far as I can see, it has nothing to do with this particular issue. The Science and Technology Committee in the previous Parliament, which was led by the hon. Member for Norwich, North, examined that issue specifically. We made recommendations accordingly, and I was pleased that the Government accepted them.

In conclusion, I have no desire to discriminate against single mothers, many of whom do an amazing job bringing up wonderful children in as close to a family atmosphere as possible—it is never their desire to do so in this way. I know that many same-sex couples also do an astonishing job and are very loving couples when it comes to fostering and adoption. I just hope that we will consider the offhand way in which, for legalistic reasons, the Government felt it necessary to introduce this entire clause into the Bill. In my judgment, it is simply not necessary and it is causing a great deal of distress to a lot of people. I hope that hon. and right hon. Members on both sides of the House will simply say to the Government, "Please think again. We think this is a bad idea." I hope that such people will vote against this measure.

Dr. Desmond Turner (Brighton, Kemptown) (Lab): This is an equalities issue, whether or not anyone tries to deny that, because the provision bites only on lesbian couples. This House has established over recent years a very good and honourable record of ending discrimination on the grounds of sexuality or anything else. If the amendments were to be voted through, the House would be taking a step backwards, and it would clearly be in contravention of the Human Rights Act 1998.

Geraldine Smith: The provision does not just affect lesbians; it would also affect heterosexual single women who wish to have a child.

Dr. Turner: Okay, but the arguments have primarily been motivated by the fact that lesbian couples will want to have children; it is they who are at the root of this, and that must be completely wrong.

What would either a single woman or a lesbian couple have to do? If they were to fulfil the requirements of the current legislation or the requirements that would be in place if the amendments were to succeed, they would have to produce a token father, but there is no guarantee that such a person would have any part in the future of that child. We face a real danger, because there would undoubtedly be cases of women being forced or pressured into entering into informal arrangements, such as going to the pub to look for a likely temporary partner or receiving unlicensed, unregulated sperm, which carries all sorts of hazards to which I would not wish to see women exposed.

4.45 pm

Mr. Duncan Smith: Has the hon. Gentleman actually read the wording of the original Act that this will amend? Let me read it to him. It says,

> "unless account has been taken of the welfare of any child who may be born as a result of the treatment (including the need of that child for a father"—

to which we would add "and a mother"—

> "and of any other child who may be affected by the birth."

How does that provision act as an absolute device to refuse treatment?

Dr. Turner: In this instance, the need to take account of something strongly implies the requirement to produce a father figure, and that would be interpreted by many—including several hon. Members—to mean that a father, real or otherwise, would be required.

Dr. Julian Lewis (New Forest, East) (Con): I have a close relative who is a single woman who wishes to have a child by IVF. She is governed by the present regulations, which my right hon. Friend the Member for Chingford and Woodford Green (Mr. Duncan Smith) simply seeks to preserve. If I thought that what my right hon. Friend proposes would lead to the results that the hon. Gentleman suggests, I would vote with the hon. Gentleman, but it has not. My relative has not had to go to the pub to pick someone up or to do anything that he would not want her to have to do. All she has had to do is take account of these factors. Account has been taken and she has been allowed to proceed. Speaking for myself, I hope with all my heart that she is successful.

Dr. Turner: I endorse that entirely, and I am glad that the system has worked in her case. However, it is much more realistic to retain the present wording of the Bill about supportive parenting, as that is much more important. We no longer live in a "Janet and John" world where everybody has an ideal father and an ideal mother. Let us be honest and admit that many fathers have been damaging. How many single parents are left without a supportive father for their child because the natural father has deserted them, often with associated domestic violence? I know of far more cases in which that is true than of lesbian couples having IVF.

If we follow the provisions of the Bill, we stand to guarantee supportive parenting. We are almost assured that that child will have two parents. Not only that, but, should anything happen to one of those parents, there will be another clearly identified parent with parental rights to look after the child. I can see nothing wrong with that: it is entirely logical.

We do not apply such strictures to same-sex adoption. We have legislated for that and we allow lesbian couples to adopt, and be responsible for the upbringing of a child, without a father. Why should it be any different for a child produced by IVF?

Dr. Gibson: There is another inconsistency. If a woman has tubal or hormonal therapy for infertility problems, no one asks questions about parenthood. That only happens when it comes to IVF, which suggests that there is an element of discrimination behind this.

Dr. Turner: I agree with my hon. Friend and I thank him for his intervention.

Mr. Duncan Smith: The hon. Gentleman made the point that we do not make such provisions for adoption. He should recognise that adoption is a spurious example, because to go and adopt a child requires huge amounts of exhaustive inquiry into one's background, social position and what one does. Far more requirements are placed on someone who wishes to adopt than on someone in the circumstances that we are discussing. With respect, I would not use that example if I were the hon. Gentleman.

Dr. Turner: The situations are entirely analogous, because they both involve the creation of a family with a child and two parents—in this case, with supportive parents. I do not accept the right hon. Gentleman's point.

Greg Clark (Tunbridge Wells) (Con): I think that the hon. Gentleman has been misled about what is possible now. Let me add to the example given by my hon. Friend the Member for New Forest, East (Dr. Lewis). This weekend, I visited a lesbian couple who are friends of mine in my constituency. They are expecting a child within the next three months who was conceived under the present legislation, which has been entirely permissive in allowing them to do that. I wish them well.

Dr. Turner: I am very glad of that, but the hon. Gentleman is providing an example that illustrates the inadequacy of the wording of the present Act and the superiority of the wording in the Bill.

Greg Clark *rose—*

Dr. Turner: No, once is enough. The essential thing is supportive parenting. It does not matter whether that supportive parenting is delivered by a male or a female.

Dr. Brian Iddon (Bolton, South-East) (Lab): It is important that we put on the record what Baroness Deech, who after all has some knowledge of such things, said in the other place. She said:

> "In the last year of statistics, over 2,000 women who were single or lesbian accessed IVF treatment".—[*Official Report, House of Lords,* 21 January 2008; Vol. 698, c. 60.]

So, what people have said about access being available is correct. However, I support my hon. Friend as there is postcode discrimination in the country. That is why I support the Bill as it stands.

Dr. Turner: I completely agree with my hon. Friend. The point about postcode discrimination is valid. We have heard about the example from Birmingham, and there will be many others. If we resist the amendments and stand by the Bill, we will eliminate that.

Mr. Willis: On discrimination, does the hon. Gentleman accept that the real discrimination takes place in the primary care trusts, which limit the number of treatments for IVF in different ways across the country? If we had proper access to IVF treatment that was fair and equitable across the whole of Great Britain, that would achieve more than our spending hours debating angels dancing on the head of a pin, as we are at the moment.

Dr. Turner: I do not disagree with the hon. Gentleman. I deplore the postcode discrimination in carrying out the National Institute for Health and Clinical Excellence recommendations on the provision of IVF, but that is another can of worms. I am simply concentrating on the matter before us this afternoon. In all earnestness, I ask hon. Members to resist the amendments. They are discriminatory in practice, whether that is the intention or not, and would perhaps lead to a worse situation than the Bill would. I therefore ask hon. Members to resist them.

Mark Simmonds: It is always interesting to follow the hon. Member for Brighton, Kemptown (Dr. Turner). The one issue on which he was absolutely correct is the disparity in PCT provision of IVF treatment, which causes a lot of angst and concern across the country.

[Mark Simmonds]

Something needs to be done about that. However, he was completely incorrect to say that the terms of the original clause in the 1990 Act, the amendments proposed by my hon. Friend the Member for South Cambridgeshire (Mr. Lansley) and me, and those proposed by my right hon. Friend the Member for Chingford and Woodford Green (Mr. Duncan Smith) are discriminatory. They are clearly not. Those Labour Members who have tried to defend the Government's position are skating on very thin ice and dancing on the head of a pin, as I hope to demonstrate in my remarks.

No one disputes that that 1990 Act has worked well. It was thoroughly thought through, and it was a detailed and widely debated provision. It was agreed at the time that the need for a father was an important factor in the welfare of a child. Both the hon. Member for Islington, South and Finsbury (Emily Thornberry) and the hon. Member for Brighton, Kemptown seem to be suggesting that we should ignore the welfare of the child, but that should always be a cornerstone of this aspect of the Bill.

My right hon. Friend the Member for Chingford and Woodford Green made a very knowledgeable, considered and well-argued speech. He talked about the significance of the need for a father, and I shall expand on that later. He was also right to say that the amendments under consideration do not contravene human rights legislation, but does the need for a mother have to be made explicit in amendments Nos. 21 and 22? Is not that need already explicit in the fact that it is a would-be mother who presents herself for treatment?

I hope that it will help the Committee if I explain what my amendments Nos. 12 and 13 set out to do.

Dr. John Pugh (Southport) (LD): Is there not another side to the argument? The hon. Gentleman warns about neglecting the needs of the child, but does he agree that no one who supports a clause that calls for supportive parenting can be called neglectful of the needs of the child?

Mark Simmonds: That is why my amendments would not remove the phrase "supportive parenting" from the Bill. I do not criticise those words, and that is why I did not put my name to the amendments tabled by my right hon. Friend the Member for Chingford and Woodford Green. My amendments would retain the phrase "supportive parenting", reinstate the need for a father and add a requirement for a "male role model". I shall explain why I have phrased those amendments like that.

My amendments recognise that supportive parenting needs to be provided, and that various types of family unit exist. It is also important that clinics disseminate information on these matters, and my amendments would also reinstate the need to consider the role of a father or, in the absence of such a person, a male role model. The amendments would thereby emphasise the importance of a father, while at the same time reflecting what happens in practice in clinics now.

John Parsons is the lead consultant at the assisted conception unit at King's college hospital. He said:

> "We like to know there will be men in these children's lives. They don't have to have a father, but they should at least have a male influence in their lives."

Mr. Parsons is a clinician who provides fertility treatment every day, and who in essence is putting into practice the principle of my amendments.

Mr. Andy Slaughter (Ealing, Acton and Shepherd's Bush) (Lab): As proposed, the need for a father or for a male role model is an additional requirement to the 1990 Act. It is clearly aimed at single women or lesbian couples and is therefore an additional burden on them. How can that not be discriminatory? The hon. Gentleman asserts that that is not, but what is his evidence?

Mark Simmonds: First, the evidence is that that requirement is sought in clinics already, as I have said. Secondly, there is absolutely no evidence—we have heard none today—that same-sex couples and single mothers are not accessing IVF treatment. They are doing so, and my amendments propose that clinics look for a male role model, as distinct from just a female one.

Why have I put that proposal in my amendments? Many research papers—they are too numerous to quote, but they include the excellent work done by my right hon. Friend the Member for Chingford and Woodford Green and his think-tank—make clear the unique contribution made by the father. Fathers contribute academically, psychologically and socially, and also build confidence and self-esteem in their offspring. Indeed, the importance of the father is now almost uncontested in social research. It is important that children have the knowledge that engenders respect for and understanding of the opposite sex.

That understanding has been challenging enough for many of us who have lived with members of the opposite sex for most of our lives, and one can imagine how challenging it must be for people who have not. We in the Committee have to admit there is a problem in this country, where familial breakdown has led to many serious social problems such as crime, truancy, an over-reliance on the state and poor parenting skills. Social research has found that the involvement, or lack of it, of the father, not the mother, is the key determinant of teenage behavioural problems. Unbelievably, 24 per cent. of children in this country are growing up in families without a live-in father.

5 pm

These amendments are not anti same-sex couples, nor anti single mothers. Of course, children can and do thrive in loving families in both same-sex and single mother households, often in very difficult circumstances. As my hon. Friend the Member for Salisbury (Robert Key) rightly said, single mothers and same-sex couples need to be congratulated on doing such a superb job.

The second important issue—the rationale that was given for amending the 1990 Act—is that society and social attitudes have moved on in the 18 years since that Act was passed. That is generally and generically true, but they have not moved on in this matter. I am very reluctant to quote polls, because obviously, they often reflect the question that is asked, but 77 per cent. of people recognise the importance of the need for a father. Interestingly, the figure rises to 84 per cent. among 18 to 24-year-olds.

Dawn Primarolo: Will the hon. Gentleman explain to the Committee why he wants to put into legislation proposals that he then expects no one to take any notice of, to ensure that discrimination does not occur against lesbian couples and single women?

Mark Simmonds: That intervention was very confusing; logically, it is an argument for taking out in totality reference to the need for a father under the 1990 Act. In practice, that condition has made absolutely no difference to access to treatment for same-sex couples and single mothers.

Mr. Duncan Smith: I wonder whether another response to the right hon. Lady would be very simply that we are not are seeking to remove something; she is. The Government are ripping it out; we are trying to put it back, so the Opposition are on the side of the status quo.

Mark Simmonds: I agree entirely with my right hon. Friend, and my hon. Friend the Member for Salisbury forensically deconstructed the Government's logic and case for removing the consideration of the need for a father and merely inserting the phrase "supportive parenting".

Mr. David Burrowes (Enfield, Southgate) (Con): Is not the burden on the Government to prove to us that their proposal to remove the requirement to consider the child's need for a father benefits that child's welfare?

Mark Simmonds: Absolutely, and if there were evidence to show a detrimental impact on the child's welfare and if evidence had proved discrimination in access to IVF treatment, the Government might have a stronger case than at the moment, but none of those things has been proved.

Mr. Edward Vaizey (Wantage) (Con): I am afraid that I do not understand the logic of my hon. Friend's position. If he is saying that the provision on the need for a father has not worked, what is the point of keeping it in the Bill?

Mark Simmonds: That is why I have tabled my amendments, which not only maintain the need for a father but extend that requirement to include male role models. As I have just said, that would mean that the current practice in clinics would continue, while ensuring that the proposal on supportive parenting was included. The amendments would thus try to address the current disparity and difference of approach adopted by parenting units.

Lynne Jones (Birmingham, Selly Oak) (Lab): Hon. Members on both sides of the Committee recognise that, in taking decisions, the welfare of the child is paramount. Opposition Members have gone out of their way to emphasise that the need for a father has not prevented lesbian couples or single women from getting access to IVF. So in what circumstances can the hon. Gentleman envisage that such people might be turned down? What is his definition of a father role model?

Mark Simmonds: The need for a father or a male role model ensures that the welfare of the child can be maximised, by allowing access to the benefits of having a male role model or a father figure. *[Interruption.]*

Mr. Vaizey: Given my hon. Friend's answer to my earlier intervention, he appears to be saying that he is attempting to strengthen the clause. Therefore, is not the logic of his position that he intends the clause to make it more difficult for lesbians and single parents to access IVF? Would not the male role model part of his proposal encourage fraud? Numerous lesbian couples could attend clinics with their hired male role model for the day. Surely, that would be totally counterproductive.

Mark Simmonds: I do not agree with that analysis at all, because at present, when there is no direct father figure, a male role model such as a grandfather may be used.

Pete Wishart (Perth and North Perthshire) (SNP): Will the hon. Gentleman give way?

Mark Simmonds: Let me make some progress and answer the question asked by my hon. Friend the Member for Wantage (Mr. Vaizey). In my amendments, I am simply trying to clarify exactly what happens at the moment with regard to the consideration of the need for a father.

Pete Wishart *rose—*

Mark Simmonds: I should like to make some progress. As Lord Darzi confirmed in the other place, there is no evidence that single-sex couples or single women who present themselves for fertility treatment have been disadvantaged or faced barriers to treatment. Let me put the matter in context: in 2006, there were only 775 IVF treatment cycles, of which less than 2 per cent. were for single women or single-sex couples.

Indeed, statistics from the King's College Hospital NHS Foundation Trust show that of the 6,000 patients treated between 1995 and 2004, 500 gave rise to "welfare of the child" considerations, and 28 were refused treatment. Eight of them were refused treatment because of psychiatric problems, four because of virus infections, and two because previous children were wards of court. There were other issues, too, such as drug or alcohol abuse, or the fact that partners were in prison. There was only one case in which a single woman was refused treatment, and that was because of physical problems. There were two cases in which same-sex couples were refused treatment because of concerns about their relationship. None of the refusals was due to the fact that individuals were single or in same-sex relationships. Those statistics will be replicated across the country. They demonstrate that single women and same-sex couples do not face barriers to accessing treatment under the provisions of the 1990 Act.

Dr. Tony Wright (Cannock Chase) (Lab): Does not what the hon. Gentleman says, and indeed do not all our exchanges this afternoon, show only one thing—that in practice it will make no difference at all what wording is used?

Mark Simmonds: The hon. Gentleman makes a sensible point, but it is important that, through the Bill, we send a message to the country that fathers are important to the welfare of the child, as we have done since 1990.

Glenda Jackson (Hampstead and Highgate) (Lab) *rose—*

Mark Simmonds: Let me make some progress. The Joint Committee on the Human Tissue and Embryos (Draft) Bill concluded that there was

"little evidence that the existing provisions have caused harm"—

a point that I made—and it said that it may be

"detrimental to remove…the 'need for a father'."

John Bercow: Will my hon. Friend give way?

Mark Simmonds: May I make some progress? I shall be happy to give way to my hon. Friend later.

Glenda Jackson: I hope that the central message that the hon. Gentleman wishes to send to the country will be picked up by all those fathers who are being pursued by the Child Support Agency; they are clearly failing to be fathers to their children. Is that the message that he hopes will be sent?

Mark Simmonds: Interestingly enough, I was just about to come on to that point. I agree with the hon. Lady, and I support what she says. There is to be an end to anonymity for sperm donors; divorce courts are to ensure that contact with both parents is seen as beneficial; donor children are to have every opportunity to establish their origins; the Government have a policy to extend, promote and encourage paternity leave; and the Department for Work and Pensions has said:

"Fathers and mothers matter to children's development. Father-child relationships…have profound and wide ranging impacts on children".

It is odd, inconsistent, incompatible and paradoxical that the Government are promoting those policies on the one hand but wish to remove the need for a father to be considered prior to IVF on the other.

Pete Wishart: I am genuinely interested in the description of a "male role model". The hon. Gentleman mentioned grandparents when he was challenged about who qualified for that lofty position. Who else qualifies as a male role model? Celebrities, such as David Beckham, Andy Murray, or pop stars? I do not know who qualifies for the position.

Mark Simmonds: The hon. Gentleman is being facetious. It is not for Parliament to detail a list of male role models; that is up to clinicians on the ground. I would suggest that the role model should be a close family member. By removing the provision, the Government are showing a disregard for the importance of fathers.

John Bercow: The logical corollary of my hon. Friend arguing that account must be taken of the role of the father is that the applicant's case will be damaged if there is no evidence of such a role. Does my hon. Friend not think it rather peculiar so to argue, when the only compelling academic evidence that exists shows that there is no detriment to the child who is brought up by lesbian parents?

Mark Simmonds: I do not agree with the basis of my hon. Friend's argument or the point that he makes. I would argue the opposite: it is very important that there is consideration of the need for a father or a male role model when clinics decide whether to provide IVF treatment. As I pointed out earlier, the HFEA guidance makes it unlawful to discriminate against patients on the ground of sexual orientation, so that point does not apply.

The amendments are not discriminatory and apply to all patients. It is right for clinics to have the right to refuse treatment under some circumstances, whether it be mental instability or a history of child abuse or drug abuse. It is not correct to say, as some hon. Members have argued, that the retention of the reference to a father would drive people away from regulated services and the quality and safety assurances that those provide. As evidenced earlier, single women and same-sex couples have not faced barriers, and I do not see why the amendments proposed by me or by my right hon. Friend will change that.

Mr. Willis: I am grateful to the hon. Gentleman, who more than anyone else has proved to the Committee why getting rid of the reference to the need for a father, or not bringing it back, is the right decision. He has also proved that the whole House can unite around the compromise on the need for supportive parenting—*[Interruption.]* I hope the whole House will unite around it. The hon. Gentleman has demonstrated that once we start to create tight definitions about a role model, we encounter all sorts of problems. No doubt the hon. Gentleman, who is a sensible Front-Bench spokesperson, would agree that trying—

The First Deputy Chairman of Ways and Means (Sylvia Heal): Order. This is an intervention.

Mark Simmonds: I shall draw my remarks to a conclusion. The Bill as drafted represents a decision by the state to remove recognition of the importance of a father. What I am proposing in the amendments retains the need for consideration of supportive parenting and reinstates the importance of the need for a father or male role model. The amendments are designed to retain a male influence in a child's upbringing, providing a balanced outlook for society and ensuring that the country understands that the House of Commons still values the role that fathers or male role models should play in the welfare of children. I hope the Committee will support the amendments later.

Dawn Primarolo: The need for a father provision has provoked much debate here and in another place. It is important to remember the people on whom the provision has an impact. It could very well be a practical impediment to obtaining treatment. Contrary to what some Members are saying—that it has never prevented people from receiving treatment—we have heard of same-sex couples who have been refused treatment on the grounds of their sexuality. If the Committee were to reaffirm that today, we could realistically expect that position to continue and, most likely, worsen if it became endorsed as the current view of Parliament. It is a question not just of access, but of equitable access.

When providing treatment under the 1990 Act, a clinician is required to take into account the welfare of the child, including the child's need for a father. The requirement to consider a child's need for a father is removed by the Bill and replaced by a requirement for a clinician to take into account the welfare of the child, including the child's need for supportive parenting. That goes to the heart of the issue with which the Committee is struggling in this debate. How do we define "supportive parenting"? The Conservatives argue that we should include wording, which we know will have no meaning or practical effect, in legislation that is only about IVF so that we can send a wider message to the whole population about family structures. The Bill is not the right place to do that, and it is not acceptable that the House should do it.

5.15 pm

Mr. Gerald Howarth: What research has been carried out by the Minister's Department or anyone else into the likely effect on children of being brought into the world in what some of us would regard as an unnatural relationship? In the Dog and Partridge in Yateley, or the Thatched Cottage in Cove, a natural relationship is considered to comprise a mother and father. What evidence does the Minister have whether children brought up in the unnatural environment in question will prosper or suffer as a consequence?

Dawn Primarolo: I am grateful for the hon. Gentleman's intervention, which relates to my next point. In his opening remarks, the right hon. Member for Chingford and Woodford Green (Mr. Duncan Smith) made assertions about behaviour in all families on the basis of evidence from families that had broken down. With no support or evidence, the right hon. Gentleman sought to advance the argument that the children whom we are discussing would suffer a certain fate.

The evidence, however, is available. Social research from Murray, Golombok and Brewaeys shows that children of same-sex couples develop emotionally and psychologically in a similar way to children born of heterosexual donor-inseminated couples. What counts is the quality of parenting.

Geraldine Smith: Will the Minister give way?

Dawn Primarolo: No, I will not give way. Just a moment.

Quality of parenting will make the difference to the child's development. The Committee needs to face that proposition in considering the arguments.

Mr. Duncan Smith *rose—*

Dawn Primarolo: I give way to the right hon. Gentleman.

Mr. Duncan Smith: As the Minister may recall, I said that the body of evidence on that issue was not yet good enough for her to make any judgment whatever. I did not draw any inference; I simply said that she could not draw on the evidence and nor could I.

However, the point that I wanted to make to her was this: the wording of the Bill is far more complex than the simple wording that we wish to put back in the Bill. My hon. Friend the Member for Boston and Skegness (Mark Simmonds) got caught up in the issue of what a role model is. What can we expect from clinicians as they start to define the whole issue of what is or is not supportive parenting? We are putting a huge burden on them. There should be simplicity—a statement about the role of a father. That is easy to do.

Dawn Primarolo: The right hon. Gentleman cannot have it both ways. He uses so-called evidence about family structure, which is not relevant to this debate. However, when the evidence that such families involve good parents and that the children have no problems is put to him, he does not want to consider it. Then he asserts that there is no discrimination in respect of the need for a father and that that provision should be put back in the Bill because it is important—even though he says that it is completely ignored in the debate, a contention that I dispute.

Mr. Duncan Smith *rose—*

Dawn Primarolo: The right hon. Gentleman's logic does not bear scrutiny.

Mr. Duncan Smith *rose—*

Dawn Primarolo: If the right hon. Gentleman will be patient and let me finish my response to his intervention, I shall be happy to let him intervene again. However, I say to him that when he is in a hole, he should stop digging.

Mr. Duncan Smith: I have to say that I hope the right hon. Lady does not emerge out of her hole, but here we go. She is of course eliding two different things. I referred to her so-called data about same-sex couples. I said that there was no real body of evidence on them yet, and that we should infer nothing about them either way. However, in respect of the vast bulk of couples—heterosexual couples—who have IVF, there is a huge amount of evidence concerning the absence of fathers and its effect on families. The right hon. Lady can do whatever she likes, but she cannot run away from that. The body of evidence shows that the absence of fathers has a detrimental effect on children, regardless of family income. The right hon. Lady does not have a way out of that.

Dawn Primarolo: The right hon. Gentleman wants to start with a different proposition entirely from that of the Government. It is the view of the Government that all parents assessed for treatment would be assumed to be supportive parents unless there were evidence to the contrary—

Several hon. Members *rose—*

Dawn Primarolo: I will just make this point, and then I shall take interventions.

A supportive parent would be willing and able to make a commitment to safeguard and promote the child's health, development and welfare and to provide direction and guidance in a manner appropriate to the

[Dawn Primarolo]

age and development of the child. The right hon. Member for Chingford and Woodford Green wants to start with the proposition that we should consider them to be bad parents unless we give them an additional test.

Phil Wilson (Sedgefield) (Lab): I thank my right hon. Friend for giving way; I just want a point of information. My problem with the issue concerns not the parents, but the child. I know that the child has a right, at the age of 18, to find out who its father is, but what if the child decides it has a need for a father at the age of 10 or 12? What kind of support mechanisms will be in place to ensure that that child will have access to its father?

Dawn Primarolo: As my hon. Friend knows, the Bill introduces a provision to ensure that the child will have access at the age of 18, or 16 if necessary, to the details of their natural father. Indeed, if couples are driven away from the regulated service, the child will never know those details. The parents have the responsibility to make clear to that child their relationship with either parent and the possibility of an absent natural father. It is made clear during the counselling and access to IVF treatment that that is a matter for the parents. I entirely agree with my hon. Friend's proposition that it is crucial in this process that parents are motivated by what is best for the child and the child's development, which includes information about whether they were the result of a donor insemination and about the progress being made.

Mr. Bernard Jenkin (North Essex) (Con): I commend the way in which the right hon. Lady has treated this debate, and the other debates, but I think she is foundering on this issue. Her case rests on the interpretation of good parenting. Would she regard it as acceptable that good parenting should include those who want to deny the role of fathers or male role models? Men and women are different and they provide different role models to children. Both role models are necessary for the upbringing of children. That is all that the present legislation attempts to say, and what the Bill would remove—wrongly, in my view.

Dawn Primarolo: I do not disagree with the hon. Gentleman about the quality of parenting being crucial. The removal of the requirement to take into account the child's need for a father is not about doing away with fathers or doing anything that does not recognise the important role that fathers can and do play in the upbringing of children. We are ensuring that the law reflects current practice and family set-ups, and current legislation on human rights and discrimination. The wording in it should have meaning for those who have to make decisions on whether or not the child, as a result of IVF, is going to have quality parenting and support.

Several hon. Members *rose—*

Dawn Primarolo: I give way to the hon. Member for Strangford (Mrs. Robinson).

Mrs. Iris Robinson (Strangford) (DUP): I note that the Minister places great importance on the quality of parenting. Can she envisage, down the road, a child going to primary school and being collected by two females or two males, and the bullying and abuse to which such children will be exposed—or going into their parents' bedroom, as is natural for a child to do, and finding two women or two men making love?

Dawn Primarolo: With respect, I do not think that those comments have any place in the debate. Children are loved by many adults in families, extended families and neighbourhoods. It is crucial to consider the safety and nurture of the child.

John Bercow: I appreciate that the hon. Member for Strangford (Mrs. Robinson) has passionate views, and I respect her integrity on the matter, but I happen to disagree with her. I put it to the Minister that the hon. Lady's argument is not simply against gay couples having access to IVF treatment but against gay adoption, the legal age of consent and gay equality per se.

The First Deputy Chairman: Order. It might be appropriate if we reverted to the content of the amendment that is currently under discussion.

Dawn Primarolo: I believe that the debate would be improved if all hon. Members were direct and open about their views on the subject. The hon. Member for Strangford (Mrs. Robinson) should be given credit for being one of the few who is brutally honest about her views and expresses them in the Chamber. I hope that other hon. Members will do that instead of trying to conceal their arguments.

Ms Dari Taylor: We are all seriously passionate about getting the matter right. We want to get it right because the welfare of the child is crucial to us all. However, the research has been repeated time and again, and I cannot understand why the Committee is so unprepared to hear what MacCallum and Golombok are saying. The conclusions of their research, "Children raised in fatherless families from infancy: a follow-up of children of lesbian and single heterosexual mothers at early adolescence", are clear. Being without a resident father from infancy does not seem to have had negative consequences for children. There is no evidence that the mother's sexual orientation influences parent-child interaction or the child's socio-emotional development. Those statements are clear and made by people who are not pushing a line. They are conducting research and reporting fairly and objectively. Why is the Committee so resistant to listening to them?

Dawn Primarolo: My hon. Friend makes her point passionately, as she has done in previous debates. The Committee is not saying that we do not need fathers; we are broadening our understanding to recognise the quality of parenting and the impact on the child, which should be paramount at all stages.

Geraldine Smith *rose—*

Mr. Gary Streeter (South-West Devon) (Con) *rose—*

Dawn Primarolo: Let me make a little progress, and then of course I will take more interventions. However, I am conscious of time.

The amendments would have a wide-ranging, discriminating effect on access to treatment for single women and same-sex couples. Instead of being in the child's interests, they would drive single women and same-sex couples away from the safety of the regulated services. That is a retrograde step, which we should not risk: every hon. Member who has spoken has said that ensuring the safety and nurture of the child is paramount. The legislation should be fair to all people who seek treatment, whether they are in same-sex couples, single women or in heterosexual couples. If the provision specifying the need for a father or the equivalent was retained, the legislation would place additional burdens on single women and same-sex female couples. That is the point that we need to address, albeit in the context of there being no evidence to suggest that such women make bad parents and should therefore be required to take additional steps.

5.30pm

Geraldine Smith: Will the Minister give way?

Mr. Streeter: Will the Minister give way?

Dawn Primarolo: No, I would like to make some progress.

The Bill requires a clinician to take into account the welfare of the child, including that child's need for supportive parenting. That is based on the fact that, as I have repeatedly said, the quality of parenting makes the most difference, not the gender of the parents per se. That is why the Bill requires the consideration of the child's need for supportive parenting, not the gender of the parents. The Bill strikes the correct balance between protecting the interests of the child to be born by requiring that their welfare is considered, and the right to supportive parenting.

Mr. Streeter: Will the Minister give way on that point?

Dawn Primarolo: No, I will not.

Reference has been made to the recommendations of the Joint Committee on the Bill. The Committee recommended that

> "'(including the need of that child for a father)' should be retained but in an amended form in a way that makes clear it is capable of being interpreted as the 'need for a second parent' in line with the parenthood provisions currently in Part 3 of the draft Bill. In making this recommendation, we do not seek to discriminate against single women seeking treatment".

The Joint Committee recommended an amended version, but its deliberations and recommendations also showed the difficulty of settling on different definitions. Therefore, the suggestions in the Bill as amended provide for that quality parenting. We intend to strike the correct balance between protecting the child and providing those supportive arrangements.

The hon. Member for Boston and Skegness (Mark Simmonds), who tabled amendments Nos. 12 and 13, has made thoughtful contributions throughout this debate, but he has fallen into his own trap. He seeks to replace consideration of the need for a father by proposing that clinicians should take into account the child's need for supportive parenting—that is what the Bill says now—and a father or male role model. However, he fails to tell us how. Amendments Nos. 12 and 13 do not say that all families should have a father; in fact, if anything, they suggest that any male role model could easily replace a father. Surely that is not the intention of the Committee.

The hon. Gentleman's amendments more or less say that any man will do, which does not fit with the considerations of quality parenting. Will women who are not being treated with a man have to bring one along for the sake of it? Is that what is being suggested? Evidence was provided to the Select Committee on Science and Technology of women having to bring along a letter signed by a man—any man. Is that what we want? The hon. Gentleman advanced the main point in his argument. This issue is about reflecting the concept of quality of parenting, recognising the diversity of families and judging clearly whether individuals can provide the necessary parenting. That has to be right.

Amendments Nos. 21 and 22, which were tabled by the right hon. Member for Chingford and Woodford Green and are supported by others, would require clinicians to take into account the need of any resulting child for a father and a mother. A general argument against both of the amendments is that they would be discriminatory because, as with the provision on the need for a father, they would create an additional hurdle for female couples and single women who seek treatment. Given the position of this House and the Government on civil partnerships and on adoption by same-sex couples, in my view as a Minister I would say it was wholly inappropriate to retain that additional, discriminatory burden.

Those who oppose the removal of the need for a father provision talk about it not making any difference anyway. They want a provision in the Bill to send a signal about family structures, but then say that no one should take any notice of it. That cannot be right. Some hon. Members have commented that the current provision does not prevent single women and same-sex couples from accessing treatment and say that it therefore does no harm. That assertion has been challenged repeatedly in today's debate, and I challenge it. I say to the Committee that there is an impact and that we should not allow that discrimination to continue.

Geraldine Smith: People often say that politicians do not listen. Have the Government consulted on this change? If so, what was the response from the public?

Dawn Primarolo: Yes, we did consult on the change, and the full consultation was published. My hon. Friend follows these matters closely, so I am sure that she will have studied it in some depth and seen the arguments for and against the proposal. The House must also consider those arguments and how to respond. It is one thing for the Human Fertilisation and Embryology Authority and clinics to interpret a provision that was passed almost 20 years ago in a way that allows same-sex couples and single women to access treatment, but it is quite another thing for such an interpretation to continue if the position is reaffirmed by this House in 2008.

Mr. Streeter: Will the Minister give way?

Dawn Primarolo: No, I will not.

[Dawn Primarolo]

Including a reference to the need for a father or for a male role model would send the message from Parliament that we want to return to what was the position when the 1990 Act was introduced, when additional tests were imposed on certain groups of people. Such a provision would not be so harmless or meaningless if it were reintroduced. Those Opposition Members who had said that they hoped these matters would not affect their family or friends would need to think again.

Mr. Streeter: Let me clarify the Government's position. Does the Minister believe that a child in a family unit containing a mother and a father has any advantage compared with a child in a family unit with two mums—supposing that all the parents are loving? Are the Government really saying that there is no advantage in having a loving mother and father compared with two loving parents who are both female?

Dawn Primarolo: No, the hon. Gentleman knows that that is not the Government's position. He is seeking to use a particular provision on access to IVF treatment to argue a general position that he knows full well is not universally accepted by all our communities. In my humble opinion, it is the duty of the House to ensure that we reflect all those who make up our communities, and all the family units. When deciding whether people can have access to IVF treatment, the absolute cornerstone must be the quality of the parenting. That is precisely what the Government are seeking to take into account.

It is nonsensical to say that it is better for a child to have a mother and a father, while also arguing that the amendments would not prevent people from accessing treatment. The need for a father provision would be discriminatory, if it were reinserted. In order to protect the interests of same-sex couples and single women, and their donor-conceived children, it is important that this legislation should be passed unamended, to ensure that it is fair, that it offers equitable access and that it recognises the complexities of the Britain we live in today.

Dr. Harris: On these Benches—

Sir Patrick Cormack: On a point of order, Mrs. Heal. I do not wish to detain the hon. Member for Oxford, West and Abingdon (Dr. Harris), but I should like to point out that we have just over an hour left for this part of the debate. Do you have any power to influence the length of speeches? Those of us who take one particular view have had no opportunity to place it in this debate.

The First Deputy Chairman: That is hardly a point of order for the Chair, but, as always, I hope that Members, knowing the pressure of time, will be as concise as possible in their remarks. More to the point, perhaps, I hope that Members who are making interventions will not use them to make speeches.

Dr. Harris: May I say to the hon. Member for South Staffordshire (Sir Patrick Cormack) that I am certainly aware of the issue that he has raised? There are people behind me on the Liberal Democrat Benches who want to speak, and there is a dilemma about whether to take interventions, which I hope I shall get through.

The Liberal Democrats have a party policy against unjustified discrimination, such as the inclusion of a provision in the Bill for the need for a father. I hope to show that the proposal is discriminatory and unjustified. This is a free vote issue for the Liberal Democrats as well, however. Everyone has a personal view on the matter, and I am sure that there will be many splits within parties. I am reminded that, when Woody Allen was asked for his personal view on lesbian parents, he said that he did not understand how children survived with even one mother, let alone two. Unusually, I think that he was wrong, because the evidence is clear that children in such families do very well. I am pleased to see the right hon. Member for Chingford and Woodford Green (Mr. Duncan Smith) smiling at that.

I agree with the Minister that the removal of the need for a father provision from the Bill had nothing to do with attacking fathers or fatherhood, which is a ridiculous allegation, or with not wanting to tackle the problem of broken homes. I certainly recognise that problem and the consequences that it has for children, but the legislation is not about broken homes—in fact, it is about precisely the opposite. It is about a couple or an individual seeking to create a family and a home, and taking a serious decision to undergo treatment, which is not a decision to be undergone lightly. Many children are brought into the world in an unplanned moment, but the provision deals with people who are making a specific decision to create a family. It is astonishing that it should be seen as some kind of an attack on families.

The hon. Member for Islington, South and Finsbury (Emily Thornberry) very effectively pointed out that the need for a father provision has not brought a single extra father into a family, or retained a man in a family—*[Interruption.]* I thought that my mentioning her might make her stay in the Chamber; obviously not. Perhaps she has another Division to attend.

I just do not understand why anyone believes that young men who act irresponsibly and abandon their partners and families are suddenly going to read the statute on IVF treatment—these men are usually fertile—and decide to mend their ways. I have to say that I cannot see that happening.

Sammy Wilson (East Antrim) (DUP): Does the hon. Gentleman accept that this is not about bringing more fathers into families, but about state recognition of the importance of fatherhood within families? If this provision goes through unamended, we will send out the message that it does not matter whether there is a father, while at the same time Government policy says that it does.

Dr. Harris: I have always taken the view that statute should not be used simply to send out a message, as there are other ways of sending out messages. Politicians with skill—the hon. Gentleman is one of them—can find other ways.

5.45 pm

The right hon. Member for Chingford and Woodford Green provided us with statistics about broken families. He then tried to argue—I think rightly—that he did not intend his amendment to affect lesbian families or those of solo parents. However, in an intervention on the hon. Member for Brighton, Kemptown (Dr. Turner), the hon. Member for Morecambe and Lunesdale (Geraldine Smith) corrected that, stating that the amendment would affect not only lesbian families, but those of solo parents as well.

Geraldine Smith: The intention behind the amendment is to ensure that the welfare of the child, rather than the desires of adults, is paramount.

Dr. Harris: I will come on to the welfare of the child in a few moments, which is probably the easiest way to deal with the hon. Lady's intervention.

We must remember the origin of the provision. In 1990, when this provision was put into the Bill, one of our Houses had voted by a majority of just one not to ban unmarried couples from accessing regulated IVF therapy. The sort of thinking going on at that time by some hon. Members here and, indeed, in the other place, was entirely different from that of today. It would be unthinkable for us to pass legislation to prevent unmarried couples from accessing IVF.

The hon. Member for Boston and Skegness (Mark Simmonds) should, I think, concede that his amendment has no advantages over that proposed by the right hon. Member for Chingford and Woodford Green, and it has many disadvantages. One disadvantage was pointed out in a penetrating intervention by the hon. Member for Wantage (Mr. Vaizey), who argued that if the provision had any effect it would be a bad one, and that if it did not have an effect it would be pointless.

A doctor who would like to see male role models has been cited—this issue will crop up again in the debate on the next group of amendments. If medical opinion is to be cited, however, it is sensible to look at consensus medical opinion rather than picking out one particular doctor—I can pick out one doctor very easily, and that person might have two opinions. We should look at what the British Medical Association thinks. It represents doctors, so—as far as these things go—it is a relatively democratic policy-making body. Another body is the British Fertility Society, which represents all the doctors working in that area. It wants shot of the need for a father provision, because it would tempt doctors to discriminate, which they do not want to do. It thinks that such a provision would be anachronistic, and it would be appalled if the House allowed colleagues to discriminate.

Mr. Duncan Smith: The hon. Gentleman has said that those organisations want shot of the advisory provisions, but have not the Government stumbled into an even worse case, as their proposals now ask doctors to interpret in a way that they did not have to under the "father" provision? Now they have to interpret what the definition of supporting parenting really means for them.

Dr. Harris: Doctors will have to do that, which is why the HFEA produces a code of practice. It is easy to set out the code in a non-discriminatory, light-touch way. I believe that the right hon. Member for Chingford and Woodford Green is sincere in proposing his amendment. I do not doubt the sincerity of the hon. Member for Boston and Skegness either, but it struck me that there are political aspects behind the amendment. I do not think that his heart is really in the idea of a male role model or asking a gynaecologist, of all people, to decide who a male role model should be.

We need to recognise that there is a problem with any sort of test. Fertile individuals are not required to pass a parenting test by the state before becoming pregnant, so why should the infertile? Many people, including the BMA, would argue that even the Government's wording goes too far in creating a hurdle for the infertile to cross, which the fertile do not have to. Many or almost all of the unsatisfactory families, if I may put it that way, come from the fertile part of the population, not from infertile people seeking infertility treatment.

Mr. Cash: I am listening to the hon. Gentleman's speech with interest. Can he explain why the part of the Bill entitled "Parenthood in cases involving assisted reproduction" contains an entire section on the meaning of "father" and on "fatherhood conditions"? Is he suggesting, as I suspect that the Minister is, that those words should be replaced by the words "supportive parenting"? That would not work, would it?

Dr. Harris: I am afraid that I do not follow the hon. Gentleman's point, and I do not know which part of the Bill he is referring to. I therefore do not want to be drawn into a discussion, but hopefully the hon. Gentleman will have a chance to pursue the matter further.

There are really only two questions to be asked. The first is whether the discrimination—or the measure—is justified. The research is clear and is summarised by the British Medical Association, which says that there is no evidence that children do badly in families of that kind. According to the BMA,

> "Social research on children born to these families has given similar findings to those children born to solo mothers. Their emotional and psychological development is comparable to children born of donor insemination to two heterosexual parents. In fact, the second female parent often has greater parent-child interaction than do the fathers in the heterosexual couples."

The reference for that quotation is one of those cited by the Minister—I know that the same briefing has been sent to all Members. Murray and Golombok made the results of their research very clear. They also looked into the question of solo mothers, and recognised the difference between different types of mothers on their own. Widows are different from young women who have been abandoned by the fathers of their children and who are living in poverty. Solo parents are often well-resourced, given that they often have to obtain private treatment. They often have established careers, and do not have partners. They are entirely different from families of the kind that the right hon. Member for Chingford and Woodford Green has examined in great detail during his tours around the country.

Dr. Tony Wright: One thing troubles me. The hon. Gentleman has constantly referred to the question of treatment. The word "treatment" usually suggests the existence of an illness. What I am not clear about is whether the absence of a child constitutes an illness in the case of single-sex couples.

Dr. Harris: There is a philosophical discussion to be had about what is the nature of illness and of treatment. I see that the hon. Member for Stockton, South (Ms Taylor), who chairs the all-party parliamentary group of infertility, is present. I know that she has had long

[Dr. Evan Harris]

arguments with primary care trusts about whether they should provide such treatment. It is not easy to decide that matter now, but it should be noted that the National Institute for Health and Clinical Excellence, which considers those issues and considers priorities relating to fertility and non-fertility, recognises that infertility is a condition that requires treatment. I think it reasonable to say that donor insemination for lesbian couples should be allowed, particularly because it is cheaper than in vitro fertilisation. In fact, I think that the situation would be legally questionable if it were not. I hope that I have addressed the hon. Gentleman's point, even if I have not satisfied him.

I want briefly to deal with the evidence given to the Joint Committee by Professor Golombok. I have a huge amount of respect for the hon. Member for Salisbury (Robert Key), but I do not think that one of the many quotations that he read out was exactly the right quotation. In the evidence session of 27 June, Professor Golombok said

> "these greater difficulties for children in one-parent homes are very much associated with the circumstances of being in a one-parent family rather than just whether or not there is a father present. For example, a drop in income, lack of social support for the family, a disrupted relationship with the father with whom they had often spent many years and separation from that father, and moving into stepfamilies. There are all kinds of factors involved so although children in one-parent families overall do seem to be disadvantaged, it is very important to look at why."

If a child has a father and that father goes, it is a different scenario from being brought up without a father in the direct household. I think Professor Golombok makes that clear, and the same applies to lesbian couples.

The second question concerns discrimination. I was surprised by what the right hon. Member for Chingford and Woodford Green said about the Human Rights Act, because I think that it showed a failure to understand what the Act is about. It does not just provide a remedy. It is not just about saying, "You will suffer. Okay, suffer, and then in a few years' time when you have gone through the courts—if you have the resources and the wherewithal—you will have a remedy." The Human Rights Act, which he prayed in aid, along with human rights law—it was unusual for him to do so, but he did so when it suited him—is about ensuring that there is a framework for legislation and the behaviour of the state that does not intrude into private matters in breach of individual liberties.

I should have thought that Conservative Members would recognise the importance of restraining the state and its unreasonable intervention in private matters. That is why Ted Webb was right to say that there was a legal obligation for the Government—I urged this on the Government—to ensure that their laws are as compliant as possible. In the absence of justification for intervention, the present law is simply not compliant.

Let me now give three examples of discrimination, because that has been requested.

Mr. Burrowes: Would the hon. Gentleman's concerns about discrimination not be satisfied by clause 53, "Interpretation of references to father etc.", which refers to the father and the woman who is the other parent? In cases in which a woman is

> "in civil partnership at time of treatment"

or treatment is

> "provided to woman who agrees that second woman to be present",

references to the father of the child who has a parent

> "by virtue of that section"

could also be read as a reference to the woman, who would be classified as the "other parent". In terms of the legal definition, there would not be the discrimination that concerns the hon. Gentleman. That is the point that the Joint Committee made in its recommendations.

Dr. Harris: I believe that that is about birth certificates, and bringing provisions into line. The Minister has indicated that I am right, which is an achievement for me nowadays. I pay tribute to my hon. Friend the Member for Harrogate and Knaresborough (Mr. Willis), who chaired the Committee. He recognised the difficulty of teasing the issues apart.

Mr. Vaizey: Will the hon. Gentleman give way?

Dr. Harris: I will give way once more.

Mr. Vaizey: I merely want to confirm that the hon. Gentleman is absolutely right. The hon. Member for Enfield, Southgate (Mr. Burrowes) was referring to the definition section concerning birth certificates, legitimacy and nationality, which has nothing to do with parenthood.

Dr. Harris: I thank the hon. Gentleman.

I was going to give three brief examples relating to discrimination, but I shall now confine myself to two. In an e-mail, Natalie Gamble, a fertility lawyer dealing with discrimination cases, has stated:

> "to say that no lesbian couples are denied treatment as a result of the need for a father provision is simply untrue. I have had five clients in the past year who have got in touch for advice after being denied access to treatment. In one case at a private clinic a couple were told that the waiting list for donor sperm was very long and they could not even be put on it because they were a same sex couple. In another case a primary care trust eligibility criteria for NHS funding stated explicitly that, due to the duty to consider the need for a father, lesbian couples were not eligible for funding even if they were infertile."

That may or may not be the Birmingham case, but I can tell my hon. Friend the. Member for Birmingham, Yardley (John Hemming)—although he is no longer present—that the "frequently asked question" that he read out applied to private funders. The NHS eligibility criterion was discriminatory, which it should not have been because that is unlawful.

Many clinics, including Bourn Hall—cited by the hon. Member for South Cambridgeshire (Mr. Lansley) as being in his constituency—used to refuse lesbian couples, until they realised that they need the money. However, they no longer need the money, as lesbian couples are forced to pay because they cannot obtain NHS treatment.

Another example from the same lawyer is an account by a client, whom I cannot name for obvious reasons but who says "He"—I think that refers to the clinician—

> "got out his criteria list, underlined the word 'heterosexual' and ringed the word 'stable' in the sentence 'Needs to have been in a

> stable heterosexual relationship of at least 2 years'. Later he also referred to the sentence at the bottom of the list of criteria which said 'Welfare of the child issues', saying 'It could also be seen as a welfare of the child issue'."

Those are just two examples, but they explain why the Equality and Human Rights Commission has issued this statement:

> "The central issue here is not fatherhood; it is fairness. The current legalised discrimination in the provision of IVF services is something that we should be ashamed of as a country. We agree with the Government that parliament should not let another day go by in which single women and lesbian couples are denied access to fertility treatment on exactly the same basis as everyone else."

Even if they receive that treatment, they should receive it on the same basis as everyone else.

The quotation continues:

> "The Commission understands the importance of male role models for children, but believes that this is, in principle and in practice, a matter for the parents themselves, and not an issue for legislation. We shouldn't be the sort of authoritarian society"

—Trevor Phillips is saying this—

> " in which an 80 per cent. male House of Commons presumes to instruct women on how and with whom they bring children into the world."

Mr. Jim McGovern (Dundee, West) (Lab): Will the hon. Gentleman give way?

Dr. Harris: I am keen to finish my speech, because others wish to speak.

I have spoken to clinicians about what the Bill will mean, and I want to reinforce a point made by the Minister. Fortunately, the code of practice currently enables the need for a father provision to be dealt with in a relatively moderate way, but if we voted for a requirement for clinics to observe a need for a father provision, they would have to apply the test to every group of people in order not to discriminate. John Parsons at King's College hospital has said that in eight years he and his colleagues have conducted 8,000 treatment cycles with 6,000 patients. Going through a detailed role model test with 6,000 patients would be a huge burden.

6 pm

I ask those Members who support either of the amendments in question why they want to introduce a measure that could be unfair, and at best would be ineffective and bureaucratic. That is not the right thing to do. The Committee should support the Bill as it stands.

Geraldine Smith: I shall try to be brief, as I know that many Members wish to speak.

First, let me strongly state that no Member disputes the love, care and commitment given to children by many lone and same-sex parents. That is not the issue; no one is questioning that. We have heard some third-hand evidence of cases where there may have been discrimination, but I have never been presented with the name of a woman or a specific case where someone has said, "I've been refused fertility treatment because of the need for a father." I find it strange that we have had the Joint Committee and witnesses have been called, yet no one has come forward and said, "I've been discriminated against," and that instead we only have vague third-hand examples. If any Member can offer a case or name someone who has been discriminated against—or tell me about that in private—I would be happy to hear, because I have never heard such evidence.

Ms Dari Taylor: This is an important point, and I wish to turn it around. I have asked such infertile women and couples time and again to write to their Member of Parliament and to speak loudly about the fact that they are discriminated against. On the whole, they will not do so. They are very shy, and they are seriously concerned. As they do not wish to express that publicly, the fact that they do not should not come as a surprise to my hon. Friend.

Geraldine Smith: If people suffer discrimination, usually someone somewhere is willing to speak out and say, "I've been discriminated against," so I find it very strange that no one has.

Mr. Slaughter: I do not think any Member is going to get up and start naming names. My hon. Friend recently heard the hon. Member for Oxford, West and Abingdon (Dr. Harris) give many examples from legal practitioners in the field of solo women and lesbian couples in that situation. We have all received those briefings, so my hon. Friend must have done so as well. Is she not trying to walk the same invisible line as the Opposition, which is to say, "We need these provisions, but actually they will have no effect"?

Geraldine Smith: First, let me say that this is not a party political issue. There will be a free vote tonight, and many Labour Members share my views.

In IVF treatment, the interests of the child must be paramount. IVF must not be about the potential parents; it must be about what is best for that child. I cannot see what harm is being done by saying to a lesbian couple or single woman who goes for IVF treatment, "For the welfare of the child, can you consider the need for a father? If there is not a father, is there a potential father figure?" Even having that discussion must do some good, and must make people think.

I suspect that there has not been a problem—or no one has come forward and said there is a problem and they have been affected—because most lesbians and single women going for IVF treatment are responsible. They take the decision that they want to have children and they look at what that involves, including whether there is a father figure—albeit, perhaps, a grandparent or someone else in the wider family—who could be a positive male role model for the child.

Mr. Willis: I do not think any Member doubts the hon. Lady's sincerity, and when she took part in the consideration of the draft Bill she raised these points. Will she, however, be kind enough to answer the point made by my hon. Friend the Member for Oxford, West and Abingdon (Dr. Harris)? By putting this requirement back in, does the hon. Lady intend there to be criteria that a lesbian couple or a solo parent—or, indeed, a heterosexual couple—would have to satisfy, and that if they did not do so they would be denied treatment? Also, what would be the test to prove that there was a satisfactory male role model?

Geraldine Smith: I am saying that, under the status quo, no one to date has come forward and said that they have been denied treatment. If the hon. Gentleman is aware of someone who has, perhaps he could tell me who they are.

The Government consulted on this issue. It is important to hear the views of the British public; as we represent them, we should take their views into consideration.

Stephen Williams (Bristol, West) (LD): Acts go unreported in many fields. Rape is an example; that goes unreported. The rape statistics are understated. Does the hon. Lady think that that means that we should not seriously deal with the issue of rape?

Geraldine Smith: I have moved on to the issue of public consultation. The consultation made it clear that most people thought the legislation should be left as it was—that it was okay, and it was not causing a problem. That was the response when the Government asked people what they thought. We could look at any of the opinion polls that have been conducted. The most recent one was in December 2007; 77 per cent. of people said that the need for a father should be taken into consideration.

Most people will think that this issue is about not discrimination, but common sense. I am sure that if we were to ask lesbians and single women, a great many would agree with my point of view and would not see a problem with it. This issue is more to do with vocal lobby groups making points.

Chris Bryant (Rhondda) (Lab): I have a great deal of respect for my hon. Friend and she often speaks good common sense, but I have to say that in this one instance she must understand that if she were to talk to most lesbians in this country about the amendment she is supporting she would discover that they find it profoundly offensive, because effectively it is saying, "You're not enough. You're not sufficient. Your family is not complete."

Geraldine Smith: It might surprise my hon. Friend to know that I do talk to many lesbians, and quite a few of them have a great deal of common sense and would not find any problem with this. So it depends who we talk to; maybe lesbians in Lancashire are a bit more down to earth than lesbians in London.

I spoke on this subject on Second Reading, so I do not want to speak on it now for too long, but let me make the following appeal to all Members: this is about common sense and what is in the best interests of the child, and it is also about saying that fathers have a role to play. The hon. Member for Oxford, West and Abingdon (Dr. Harris) talked about instructing women about bringing children into the world, but may I finally say that women need a man if they are to bring a child into the world? That is a fact of life at the moment; science has not changed that yet, so there is nothing we can do about it. Therefore, fathers are pretty important.

John Bercow: The hon. Lady said at the outset of her remarks that she accepted readily that there were plenty of good and loving lesbian parents. However, she then went on constantly to reiterate the alleged need for the father. For the avoidance of doubt and in pursuance of the intervention of the hon. Member for Rhondda (Chris Bryant), may I ask her whether she is therefore saying that they are good parents only if a third person is introduced as well? If she is saying that, that is profoundly insulting, as well as having the disadvantage of being wrong.

Geraldine Smith: No, I am saying that it is common sense just to take into consideration the need for a father, and if a child has not got a father to realise that it might be a good thing if there were a father figure—a male figure—in their life, because that is important. Men and women are different; that is just a fact of life. They bring different things to parenthood. Sometimes when there are two same-sex parents, it is a good idea also to have someone who can act as a male role model. That is not discriminating against anyone. That is just enhancing the upbringing of the child; it is just helping. At the end of the day, this is not about discrimination; it is about the child.

Sir Patrick Cormack: The hon. Member for Morecambe and Lunesdale (Geraldine Smith) speaks with a degree of refreshing candour and common sense, and she underlines the fact that this is not, never has been and never should be a party political issue. I am as far apart from my hon. Friend the Member for Buckingham (John Bercow), whom in other ways I admire very much, on this issue as I could possibly be from anyone.

I have listened to this afternoon's debate with profound depression. When I entered this House in 1970, if somebody had told me that nearly 40 years thence, the House would debate the need for a father, I would have thought that that person had taken leave of his senses. What we are talking about is the natural order of things, and I make no apology for standing up for what I believe to be the natural order of things. *[Interruption.]* It may well be that people can barrack, but I happen to be the first chairman of the all-party committee for widows and single-parent families in this House. We came together and founded that group in 1974 because we believed in helping single-parent families as much as we possibly could, and a very good committee it was, too. My hon. Friend the Member for Stone (Mr. Cash) became a member of it after he joined the House.

Another Committee that I was much involved with as long ago as 1970—with Lord Janner, then Greville Janner, the former Member for Leicester, North-West—had at its heart the preservation and advancement of proper human rights. That was the all-party parliamentary committee for Soviet Jews—for the release of Soviet Jewry—and we stood for what we considered to be those human rights of life, liberty and the pursuit of happiness that have now been so distorted, so altered, so extended as to cover a whole range of things that really are not human rights at all. At the root of the Bill that we are discussing this afternoon is the Government's realisation that if they did not insert certain words into it, they would be going against the Human Rights Act that we passed some 10 years ago, and which the House really ought to look at again. It is one thing to defend and advance the proper human rights that, for instance, the people of Burma, for whom my hon. Friend the Member for Buckingham stands up with great vigour, are completely deprived of. It is another thing entirely to extend and distort that concept of human rights, so that some people in this place, and many outside this place, are afraid to say—that it is a natural thing for a family to consist of a man and a woman who have children, and who give those children a natural and a proper home.

When I listened this afternoon to some of the surreal exchanges that have taken place, I could not help but remember the immortal words of Mr. Bumble, who said:

> "If the law supposes that…the law is a ass".

We in this Committee this afternoon are responsible for the law and for trying, I hope, to bring a little balance into the law.

I listened with considerable admiration to my right hon. Friend the Member for Chingford and Woodford Green (Mr. Duncan Smith) when he moved his amendment. He did it with passion and clarity and with a degree of real modesty, but I have to say that I do not think that he went far enough. Although I have many friends who are lesbian or gay, I nevertheless do not believe that a lesbian pair of women or a gay pair of men can provide the same degree of balance, harmony and domestic comfort as parents of the opposite sex can. That is not to say that there are not many parents—men and women, married and unmarried—who are very bad and very cruel to children.

We are talking about families—the Government have even elevated the word "families" into the title of one of the Departments of State. If we are intent on promoting the concept of the family, why do we run away from the importance of the role of the father?

6.15 pm

Mr. Vaizey: Given the logic of my hon. Friend's case, if a mother and a father had treatment, the mother became pregnant and the father then left the mother, should the mother then be made to terminate the pregnancy?

Sir Patrick Cormack: That is a most fatuous intervention. I have never heard such a ridiculous intervention from a so-called intelligent man. Of course not, and the hon. Gentleman almost abuses himself by asking the question. It is a ridiculous question to ask.

There can be domestic problems between any people—of course there can. Within our own family in Parliament, there are those who have strong marriages and those who do not have marriages at all. We represent all sorts of conditions of men and women, but I make no apology for saying in this House that I believe that the natural family unit is the man, woman and children. There are cases where children do not have that advantage because the mother has been deserted. I suppose that I have as many cases in my surgery as colleagues do of women coming to ask for help with the Child Support Agency, and of women whose husbands have behaved utterly despicably. I have many examples in my constituency of single women who, with great courage and enormous sacrifice, skill and dedication, brought up their families. My cousins, twins, were 55 last week. Their father was so badly injured in the war that he died within weeks of their being born. My aunt brought those men up to be the fine men they are today. All of us can replicate that sort of experience, but in doing so and in relaying it to the Committee, we should not, out of a misguided concept of equality and fairness, pretend that there is an automatic right for anyone to have a child, regardless of sex.

John Bercow: Will my hon. Friend give way?

Sir Patrick Cormack: No, because I am conscious of the fact that I, too, wanted to get in to speak, and that others want to follow me, so I will try to bring my remarks to a close quite quickly.

I am happy to hold to the view that no one has the right to a child. I happen to believe that a child is God-given, but—

Chris Bryant: With assistance.

Sir Patrick Cormack: Assisted, yes—assisted by a man and a woman.

Chris Bryant: And a doctor.

Sir Patrick Cormack: And sometimes by a doctor, and sometimes by a test-tube. However, I say to the hon. Gentleman and to anybody else in this Committee that a child who is deliberately brought into the world with no desire that there should be a man and a woman as the parents is brought into it with a disadvantage. In so far as the amendment moved by my right hon. Friend the Member for Chingford and Woodford Green goes some way toward redressing the balance in the Bill before us, it deserves the support of the whole Committee.

Ms Dari Taylor: This is obviously a passionate debate and people have serious concerns about the outcome of the vote tonight. I was delighted when the right hon. Member for Chingford and Woodford Green (Mr. Duncan Smith) said that there were only a few studies that were up to date. That was a very important statement for all of us, because it told us that what we are attempting to assess is new and difficult, and that there are serious complications. He could have continued by saying that there are few new and up-to-date studies for us to use in making an assessment, and that many of the outcomes in terms of gay and homosexual family structures have been defined according to the author's preference in the research, which has clearly defined the questions being asked. We know that we are in a very difficult area when we are examining research and hoping that it will give us objective judgments upon which we make a judgment as to whether we need to provide for the need for a father or for a stable home.

Much that has been said is important. The quality of parents is much more relevant than their gender to how they determine and deliver the emotional, social and educational achievements of their children. It is also important for us to accept that all the research that has been published—like many other hon. Members, I have looked at a mountain of it—references not homosexuals or heterosexuals who have benefited from IVF, but parents who have adopted or have fostered. We all face the serious problem of trying to unscramble the research to make a fair, representative and objective analysis.

Mr. David Blunkett (Sheffield, Brightside) (Lab): My hon. Friend is making a thoughtful and profound contribution. I do not intend to repeat the speech that I made 18 years ago on this issue, but would she concede that there is a difference between the issue of same-sex couples being suitable to foster a child at a particular point in that child's life in the interests of the child—that was agreed by the authority that I led 25 years ago—and the creation of a child, and the belief that the creation of that child is somehow a right, in circumstances outwith the normality of how we would proceed were we not able to implement IVF? That is quite different from the situation of those seeking a child through the course of a marriage or a separate relationship. Would she therefore agree that this is not about equality or rights, and that it is about the nature of procreation and the way in which we proceed in respect of a policy in the nation, rather than an individual right for a human being?

Ms Taylor: It might not surprise my right hon. Friend to learn that I do not agree with him. That which is appropriate for children who are adopted or fostered is equally appropriate for any who are produced by IVF; I see no difference at all, because parenting is parenting.

I wish to put on record some of my concerns about this debate. The debate is not just about whether every child needs a father or a stable home; it is about the IVF treatment available to couples or women. First and foremost, people have said that a serious disparity is involved. The absolute statement made is that the national health service produces very little in terms of National Institute for Health and Clinical Excellence agreements; the great majority of women and couples have to access private clinics, and in so doing they have to stump up between £5,000 and £10,000.

Let us consider how women and couples access this treatment. They are attempting to do that which comes naturally for so many people: conceive a child. They put not only their investment, but so much of themselves on the line. I find it inconceivable——to use an unintentional pun—that they would not love, cherish, protect the child and provide it with a stable home.

The other statement with which the House should attempt to come to terms is the one that the hundreds and thousands of women who request this treatment have to face from medics on a regular basis: "The treatment has failed." It does not just fail once; it fails month after month. Invariably, women do not access the treatment until they are over 30—often they are over 35—and there are a variety of other reasons why they are excluded from treatment. Such women have five years when their fecundity would support their conceiving naturally or with the help of IVF, so in agonising over whether a statement about a father should be placed in the Bill, we should get the rounded picture, because there is a rounded picture to be obtained.

We are talking about a very emotional consultation. I am explaining it, although I think most people in the Chamber know about it, because the amendment seeks to require the medic to demand one further qualification, and deliver another responsibility. He or she would have to ask the person seeking IVF treatment, "Have you got a male? Is there a father figure who will be able to provide the stability that we think is appropriate?" A medic would have to ask that, on top of all the other things that they say to incredibly emotional women who are strung up about one thing only: their desire to have a baby. Does the amendment anticipate the woman taking along with her any male to fulfil that role, so that she has a partner? Will this be policed? Will the medics be asked to prove that they have checked that this qualification is in place? This afternoon, we are hearing a determination, or an attempt to say, that father figures are so important that medics must be made part of the judgment as to whether a woman has a stable relationship or not.

Andrew Selous: The hon. Lady spoke of the need for a qualification. Does she accept that the amendment speaks merely of the need to take account of certain things? That is a very different matter.

Ms Taylor: That is the whole point. The hon. Gentleman makes a good point, because how would we take account of these things? There would have to be a process by which people make a judgment. I am trying to say to the House that medics have a seriously difficult situation to handle, that we would be adding one more part to that and that that would be very problematic for them.

I chair the all-party group on infertility. I see women with serious illnesses and medical problems on a regular basis—and their partners—so I have that one-to-one relationship with them. They are extraordinarily uptight people; they feel that there is something wrong with them, they do not want to expose it to others and they face enough problems without our adding this. They want, and will produce, a stable family. The amendment is discriminatory, but worse than that, it just does not make sense, and I shall support the Bill's remaining intact tonight.

Tim Loughton: May I make a few comments to endorse the passion that we have heard from my hon. Friend the Member for South Staffordshire (Sir Patrick Cormack) and the comments of the hon. Member for Morecambe and Lunesdale (Geraldine Smith), who spoke with enormous common sense? I do not want to vilify, or discriminate against, anybody, but I am concerned about how this debate has gone, and about the undermining of the role of fathers, the message that that sends out about fatherhood and the resulting effect on our children's welfare.

The clause sits rather uncomfortably in the Bill, which is why I support the amendment tabled by my right hon. Friend the Member for Chingford and Woodford Green (Mr. Duncan Smith). This part of the Bill, unlike the rest of it, is not about the power of scientists; it is about the power of political correctness and it is about a misconceived notion of equality and fairness, which has been behind many of the objections that we have heard from those on the Labour Benches. There are echoes of the Bill on same-sex adoption from many years ago. I think that we have moved on a long way since then, but I should point out an essential difference. That Bill dealt with children in care who were born of, and may have spent time with, two parents but then needed to be given the opportunity for a stable upbringing. Here we are dealing with children who will, by design, never have a father. We are talking about artificially creating life that will become a child who will, under these terms, know no father and have no father's influence in his or her upbringing, and whose only connection with a father will have been a momentary collision of gametes in a test tube at the point of conception. That is what will happen if the Government get their way.

6.30 pm

I support this amendment not primarily from any religious or moral considerations, less still any intention to undermine the credibility and dedication of single mothers who have been left to bring up children on their own for whatever reason, or even the suitability of same-sex couples to bring up children. My primary concern is for the welfare of the child, which we are all bound to take into account under clause 1 of the Children Act 1989, and in practice because it is the right priority to have.

I am annoyed, more than anything else, by the constant talk of the rights of adults to have a child—not the rights of a child—as if they are the latest must-have accessory on a par with the right to water or warmth. The overwhelming right here must be the right of a child to enjoy and benefit from the society and nurture of his or her parents and family. Not to acknowledge that is to diminish the role of both parents.

The figures speak for themselves and many have been related to the Committee already, but the influence of a father is indisputable in the mental health of a child; in the educational development of a child; in the susceptibility of a child to fall foul of the law; in the likelihood that a child will live in poverty; in the likelihood that a child will be involved in teenage pregnancy; and so on. Those figures are incontrovertible. Statistically, depriving children born by IVF of the need to take account of a father's role when considering the creation of that child is to condemn that child to a much greater likelihood of underachievement and unhappiness.

The amendment does not specify that the father has to be there, but regard must be given to the benefits that a father, or the alternative father figures that have been mentioned, can bring to bear for the good of the child. That is why opinion polls show that 80 per cent. of people are opposed to the changes in the Bill. I have not had a single letter urging me to vote any way other than against the existing provisions in the Bill and in favour of the amendments.

Fathers bring something distinctive to the parenting process and we should never forget that. They have been referred to as the forgotten contributors to child development. But the framing of the Bill sends out another damaging message that threatens to undermine fatherhood and the role of fathers. Many fathers feel sidelined after the failure of the Government to accept amendments on the presumption of shared parenting in the Children and Adoption Act 2006. I am also concerned by the many references in this debate to absent fathers who have done the dirty and run away. There are many absent fathers who are denied access to their children because they are the non-resident parent. They would like to be the resident parent or to have access to their children, but have been denied that by the courts. Let us not vilify all fathers who happen not to be resident parents.

Mr. George Howarth: I am sure that the statistics that the hon. Gentleman cites are correct, but does he agree that in some cases it is right that the father be excluded from a child's life because he would be a bad influence?

Tim Loughton: That goes without saying, but there are many fathers who lose contact with their children unintentionally after the break-up of a marriage. They are not all absent from the home because they have done a flit and forsaken their responsibilities. I want to introduce some balance to the debate, because many fathers feel aggrieved and undermined. Legislation that says that fathers are no longer necessary to the nucleus of a family reinforces that dangerous feeling that many fathers already experience.

Families Need Fathers has said about the Bill:

> "We believe this proposal sends out an extremely worrying message that makes fathers redundant in the upbringing of children. In an environment where significant societal problems are caused by the lack of a father in a child's life, the Government should be making every attempt to consolidate a father's position, rather than weaken it."

This legislation would weaken the father's position—

Mr. McGovern: Will the hon. Gentleman give way?

Tim Loughton: No, because others wish to speak.

At a time when fathers are spending more time than ever with their children—eight times as much as they did 30 years ago—when fathers in families in which women work carry out a third of parental care, and when fathers are more eager than ever to play a central role in the daily lives of their children, is it not ironic that this Bill would undermine that important role? I support this amendment because it is balanced. It would send out an important message to cohabiting couples as well as to same-sex couples and anybody else interested in IVF. It is not discriminatory or vilifying. It is supported by the public. It is the right thing to do because it is in the best interests of the child. It is common sense in my constituency and in my world, and that is a good thing and the amendment should be supported.

Chris Bryant: There is a strange irony in this debate. Either the original clause in the 1990 Act has had some effect, in which case the logic is that the status quo should preclude lesbians or single women from receiving IVF treatment, or the clause has had no effect and the amendment is just a declaratory gesture that, as the hon. Member for East Worthing and Shoreham (Tim Loughton) has just said, its supporters wish to continue. However, that declaratory statement will not have the slightest effect on a young gentleman on a Friday night, when he has had a few pints. He will not say, "Oh, I remember. That Bill that Parliament passed last week said that there has to be a father, so I'm not going to have any unprotected sex tonight." Nor will it ensure that a single father participates in the raising of his child.

Many hon. Members on both sides of the Committee passionately want to ensure that the interests of the child are protected, but the amendment would do nothing to protect the rights of children. However, it would send the message out to lesbians and single women that they should not apply for IVF.

[Chris Bryant]

It may be that many lesbians have been allowed to have IVF over the past few years, and we have had evidence presented that that has been the case, but in some areas IVF clinics have told them that they do not qualify simply because of their sexuality and because a father would not be involved. I do not think that we should now restate the 1990 Act, thereby making the HFEA tell all clinics that they should start discriminating against people on grounds of their sexuality.

Both the hon. Member for Aldershot (Mr. Howarth) and the hon. Member for Stone (Mr. Cash) referred to what they believed to be "normality", and the views in the Dog and Duck in Yateley or wherever it was, and in Staffordshire. They also referred to the natural order and what is natural. The truth is that IVF is not, in the strictest sense, natural. It is assisted conception, and it is one of the great joys that doctors have been able to bring to many families around the country. I do not believe that lesbian couples or single women who have gone through the difficult process of deciding that they passionately want a child to bring up in a loving and caring environment are the problem that the right hon. Member for Chingford and Woodford Green (Mr. Duncan Smith) suggested.

When we start to impose our understanding of what is normal or natural on others, we are treading a very dangerous path. I for one was taught as a child,

> "Judge not that ye be not judged."

Mrs. Iris Robinson: I speak tonight saddened by the approach taken by right hon. and hon. Members who wish to airbrush out the role of fatherhood. I notice that there are many grins on faces, but I stand by my faith and the word of God that man was created in the image of God and that woman was created from the rib of Adam to be his helpmeet and companion. That is the natural progression of procreation.

I am so sorry that hon. Members are abusing my position as a Christian and that they will not listen to me or give me due respect. I ask where the rights of the Christian people of this country are, because they have spoken. A recent poll reported in the press here showed that 80 per cent. of people recognise the need for the traditional family. Hon. Members can all breathe sighs of relief or indignation, but I am telling the House that the word of God says that procreation is through a man and a woman. We are moving mountains to facilitate immorality and to bring the rights of lesbians above all others in this country. It is a shame, and hon. Members ought to hang their heads in shame.

Mr. Duncan Smith: I rise to sum up the issues before us. I will not follow on from the comments of the hon. Member for Strangford (Mrs. Robinson), but I will pick up on the comments made by the hon. Member for Rhondda (Chris Bryant), who said that we could not make our minds up about whether the current system has worked or not. That is a legitimate question. We can argue that the status quo has worked, to a degree. Of course, the Bill will make it easier for couples of all varieties to get IVF treatment, but in the more limited context of the 1990 Act, it can be argued that the advisory section on fathers had an effect. It has been part of the tapestry that has allowed people to understand the need to take a balanced judgment about the importance of a father.

I find it intriguing that people say, "If it is not any good, why not get rid of it?" In truth, the point tonight is that the Government's position is far more complicated than that which was in existence until they introduced the Bill. We will be asking clinicians to make a judgment, after they have gone through a long list of criteria, about which group of parents is supportive or not supportive. That is far more complicated and judgmental than current practice and will lead, I anticipate, to a large number of problems. We are asking clinicians to do something that they do not really want to do—that is, to judge the way in which people interrelate. The idea of taking cognisance of the role of a father is simple. That requirement asks clinicians to discuss the issue, and as long as those who are seeking the treatment have taken it into consideration, that is fine. That is why there has not been a single case of anyone having the treatment taken from them.

I compliment my hon. Friends the Members for Salisbury (Robert Key) and for East Worthing and Shoreham (Tim Loughton), and the hon. Member for Morecambe and Lunesdale (Geraldine Smith) on their excellent contributions. I think that the hon. Member for Islington, South and Finsbury (Emily Thornberry) was on the wrong track. As gently as I can, I tell her that if an hon. Member uses a piece of evidence in Committee, they have to get it absolutely right.

In conclusion, I want to press amendment No. 21 to a vote. The hon. Member for Oxford, West and Abingdon (Dr. Harris) said that this is about fairness, not fatherhood—but if the clause does not say that fatherhood is important, there will be no fairness in the Bill. I say to all those who are unsure or in doubt that those of us who tabled the amendment do not have to justify our position. The Government, who have made the radical move to change the provision, have to justify their decision. They have failed to do so. They will tear up the reasonable guidance and substitute a mess. I therefore want to press amendment No. 21 to a Division.

Question put, That the amendment be made:—

The Committee divided: Ayes 217, Noes 292.

Division No. 197] **[6.44 pm**

AYES

Amess, Mr. David
Ancram, rh Mr. Michael
Arbuthnot, rh Mr. James
Atkinson, Mr. Peter
Bacon, Mr. Richard
Baldry, Tony
Battle, rh John
Bell, Sir Stuart
Bellingham, Mr. Henry
Benton, Mr. Joe
Benyon, Mr. Richard
Beresford, Sir Paul
Binley, Mr. Brian
Blunkett, rh Mr. David
Blunt, Mr. Crispin
Bone, Mr. Peter
Bottomley, Peter
Brady, Mr. Graham
Brazier, Mr. Julian
Breed, Mr. Colin
Brokenshire, James
Browning, Angela
Burnham, rh Andy
Burns, Mr. Simon
Burt, Alistair
Cameron, rh Mr. David
Campbell, Mr. Gregory
Campbell, Mr. Ronnie
Cash, Mr. William
Chope, Mr. Christopher
Clappison, Mr. James
Clark, Greg
Clarke, rh Mr. Tom
Clifton-Brown, Mr. Geoffrey
Conway, Derek
Cormack, Sir Patrick
Cox, Mr. Geoffrey
Crabb, Mr. Stephen

Crausby, Mr. David
Cunningham, Tony
Curry, rh Mr. David
Curtis-Thomas, Mrs. Claire
Davies, Mr. Dai
Davies, David T.C. *(Monmouth)*
Davies, Mr. Quentin
Davis, rh David *(Haltemprice and Howden)*
Dodds, Mr. Nigel
Donohoe, Mr. Brian H.
Dorries, Mrs. Nadine
Drew, Mr. David
Duddridge, James
Duncan Smith, rh Mr. Iain
Dunne, Mr. Philip
Durkan, Mark
Evennett, Mr. David
Fallon, Mr. Michael
Field, rh Mr. Frank
Field, Mr. Mark
Foster, Michael Jabez *(Hastings and Rye)*
Fox, Dr. Liam
Francois, Mr. Mark
Garnier, Mr. Edward
Gauke, Mr. David
Gillan, Mrs. Cheryl
Godsiff, Mr. Roger
Goggins, Paul
Goodman, Mr. Paul
Goodwill, Mr. Robert
Gray, Mr. James
Grayling, Chris
Green, Damian
Greening, Justine
Grieve, Mr. Dominic
Grogan, Mr. John
Gummer, rh Mr. John
Hague, rh Mr. William
Hall, Patrick
Hamilton, Mr. David
Hammond, Mr. Philip
Hammond, Stephen
Hands, Mr. Greg
Harper, Mr. Mark
Harris, Mr. Tom
Hayes, Mr. John
Heald, Mr. Oliver
Heathcoat-Amory, rh Mr. David
Hemming, John
Hendry, Charles
Hermon, Lady
Hesford, Stephen
Hoban, Mr. Mark
Hoey, Kate
Hogg, rh Mr. Douglas
Hollobone, Mr. Philip
Holloway, Mr. Adam
Horam, Mr. John
Howard, rh Mr. Michael
Howarth, Mr. Gerald
Hoyle, Mr. Lindsay
Hunt, Mr. Jeremy
Hunter, Mark
Hurd, Mr. Nick
Irranca-Davies, Huw
Jack, rh Mr. Michael
Jackson, Mr. Stewart
Jenkin, Mr. Bernard
Jones, Mr. David
Kawczynski, Daniel
Keetch, Mr. Paul
Kelly, rh Ruth
Key, Robert
Kilfoyle, Mr. Peter
Kirkbride, Miss Julie
Knight, rh Mr. Greg
Kumar, Dr. Ashok
Lait, Mrs. Jacqui
Leigh, Mr. Edward
Letwin, rh Mr. Oliver
Lewis, Dr. Julian
Liddell-Grainger, Mr. Ian
Lidington, Mr. David
Lilley, rh Mr. Peter
Llwyd, Mr. Elfyn
Loughton, Tim
Mackay, rh Mr. Andrew
Mackinlay, Andrew
Maclean, rh David
MacNeil, Mr. Angus
Main, Anne
Malins, Mr. Humfrey
Maples, Mr. John
Mates, rh Mr. Michael
May, rh Mrs. Theresa
McAvoy, rh Mr. Thomas
McCrea, Dr. William
McDonnell, Dr. Alasdair
McFall, rh John
McGovern, Mr. Jim
McGrady, Mr. Eddie
McIntosh, Miss Anne
McLoughlin, rh Mr. Patrick
Meale, Mr. Alan
Mercer, Patrick
Miller, Mrs. Maria
Milton, Anne
Mitchell, Mr. Austin
Moss, Mr. Malcolm
Mudie, Mr. George
Mullin, Mr. Chris
Mundell, David
Murphy, rh Mr. Paul
Murrison, Dr. Andrew
Neill, Robert
Newmark, Mr. Brooks
O'Brien, Mr. Stephen
Ottaway, Richard
Paterson, Mr. Owen
Penning, Mike
Pickles, Mr. Eric
Pritchard, Mark
Pugh, Dr. John
Randall, Mr. John
Redwood, rh Mr. John
Reed, Mr. Andy
Rifkind, rh Sir Malcolm
Robathan, Mr. Andrew
Robertson, Hugh
Robertson, Mr. Laurence
Robinson, Mrs. Iris
Roy, Mr. Frank
Scott, Mr. Lee
Selous, Andrew
Shapps, Grant
Shepherd, Mr. Richard
Short, rh Clare
Simmonds, Mark
Simpson, David
Simpson, Mr. Keith
Singh, Mr. Marsha
Smith, Geraldine
Snelgrove, Anne
Soames, Mr. Nicholas
Spellar, rh Mr. John
Spelman, Mrs. Caroline
Spicer, Sir Michael
Spring, Mr. Richard
Stanley, rh Sir John
Steen, Mr. Anthony
Stewart, Ian
Streeter, Mr. Gary
Stuart, Mr. Graham
Swayne, Mr. Desmond
Swire, Mr. Hugo
Syms, Mr. Robert
Taylor, David
Taylor, Matthew
Thurso, John
Tipping, Paddy
Touhig, rh Mr. Don
Turner, Mr. Andrew
Twigg, Derek
Vara, Mr. Shailesh
Vaz, rh Keith
Villiers, Mrs. Theresa
Walker, Mr. Charles
Wallace, Mr. Ben
Ward, Claire
Wareing, Mr. Robert N.
Waterson, Mr. Nigel
Watkinson, Angela
Widdecombe, rh Miss Ann
Wiggin, Bill
Willetts, Mr. David
Wilson, Mr. Rob
Wilson, Sammy
Wright, Jeremy
Young, rh Sir George

Tellers for the Ayes:
Mr. David Burrowes and Paul Rowen

NOES

Ainsworth, rh Mr. Bob
Alexander, Danny
Alexander, rh Mr. Douglas
Anderson, Mr. David
Armstrong, rh Hilary
Austin, Mr. Ian
Austin, John
Bailey, Mr. Adrian
Balls, rh Ed
Banks, Gordon
Barlow, Ms Celia
Baron, Mr. John
Barrett, John
Barron, rh Mr. Kevin
Bayley, Hugh
Beckett, rh Margaret
Begg, Miss Anne
Benn, rh Hilary
Bercow, John
Berry, Roger
Betts, Mr. Clive
Blackman, Liz
Blackman-Woods, Dr. Roberta
Blears, rh Hazel
Blizzard, Mr. Bob
Borrow, Mr. David S.
Bradshaw, Mr. Ben
Brake, Tom
Brennan, Kevin
Brooke, Annette
Brown, rh Mr. Gordon
Brown, Lyn
Brown, rh Mr. Nicholas
Brown, Mr. Russell
Browne, rh Des
Bruce, rh Malcolm
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burstow, Mr. Paul
Burt, Lorely
Butler, Ms Dawn
Byers, rh Mr. Stephen
Byrne, Mr. Liam
Caborn, rh Mr. Richard
Campbell, Mr. Alan
Campbell, rh Sir Menzies
Carmichael, Mr. Alistair
Cawsey, Mr. Ian
Challen, Colin
Chaytor, Mr. David
Clapham, Mr. Michael
Clark, Ms Katy
Clark, Paul
Clarke, rh Mr. Charles
Clegg, rh Mr. Nick
Clelland, Mr. David
Coaker, Mr. Vernon
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cooper, rh Yvette
Corbyn, Jeremy
Cousins, Jim
Cruddas, Jon
Cryer, Mrs. Ann
Cummings, John
Cunningham, Mr. Jim
Davey, Mr. Edward
David, Mr. Wayne
Davidson, Mr. Ian
Dean, Mrs. Janet
Denham, rh Mr. John
Devine, Mr. Jim
Dhanda, Mr. Parmjit
Dismore, Mr. Andrew
Dobson, rh Frank
Doran, Mr. Frank
Dorrell, rh Mr. Stephen
Dowd, Jim
Eagle, Angela
Eagle, Maria
Efford, Clive
Ellman, Mrs. Louise
Engel, Natascha
Ennis, Jeff
Evans, Mr. Nigel
Featherstone, Lynne
Fisher, Mark
Fitzpatrick, Jim
Flint, rh Caroline
Flynn, Paul
Francis, Dr. Hywel
Gapes, Mike
George, Andrew

Gerrard, Mr. Neil
Gibson, Dr. Ian
Gidley, Sandra
Gilroy, Linda
Goldsworthy, Julia
Goodman, Helen
Griffith, Nia
Griffiths, Nigel
Gwynne, Andrew
Hain, rh Mr. Peter
Hamilton, Mr. Fabian
Hancock, Mr. Mike
Hanson, rh Mr. David
Harman, rh Ms Harriet
Harris, Dr. Evan
Harvey, Nick
Havard, Mr. Dai
Healey, John
Henderson, Mr. Doug
Hepburn, Mr. Stephen
Herbert, Nick
Hewitt, rh Ms Patricia
Heyes, David
Hill, rh Keith
Hillier, Meg
Hodge, rh Margaret
Hodgson, Mrs. Sharon
Holmes, Paul
Hope, Phil
Hopkins, Kelvin
Horwood, Martin
Hosie, Stewart
Howarth, David
Howarth, rh Mr. George
Howells, Dr. Kim
Hughes, rh Beverley
Hughes, Simon
Humble, Mrs. Joan
Hutton, rh Mr. John
Iddon, Dr. Brian
Illsley, Mr. Eric
Ingram, rh Mr. Adam
Jackson, Glenda
James, Mrs. Siân C.
Jenkins, Mr. Brian
Johnson, rh Alan
Johnson, Ms Diana R.
Jones, Helen
Jones, Mr. Kevan
Jones, Lynne
Jones, Mr. Martyn
Jowell, rh Tessa
Joyce, Mr. Eric
Keeble, Ms Sally
Keen, Ann
Kemp, Mr. Fraser
Kennedy, rh Jane
Khan, Mr. Sadiq
Kidney, Mr. David
Knight, Jim
Kramer, Susan
Ladyman, Dr. Stephen
Laing, Mrs. Eleanor
Lamb, Norman
Lammy, Mr. David
Lazarowicz, Mark
Leech, Mr. John
Lepper, David
Levitt, Tom
Lewis, Mr. Ivan
Linton, Martin
Lloyd, Tony
Love, Mr. Andrew
Lucas, Ian
Mactaggart, Fiona
Malik, Mr. Shahid
Mallaber, Judy
Mann, John
Marsden, Mr. Gordon
Martlew, Mr. Eric
Maude, rh Mr. Francis
McCarthy, Kerry
McCarthy-Fry, Sarah
McDonnell, John
McFadden, Mr. Pat
McIsaac, Shona
McKechin, Ann
McNulty, rh Mr. Tony
Meacher, rh Mr. Michael
Merron, Gillian
Milburn, rh Mr. Alan
Miliband, rh Edward
Miller, Andrew
Moffatt, Laura
Mole, Chris
Moon, Mrs. Madeleine
Moore, Mr. Michael
Moran, Margaret
Morden, Jessica
Morgan, Julie
Mountford, Kali
Munn, Meg
Naysmith, Dr. Doug
Norris, Dan
O'Brien, Mr. Mike
O'Hara, Mr. Edward
Osborne, Mr. George
Osborne, Sandra
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Pelling, Mr. Andrew
Penrose, John
Plaskitt, Mr. James
Pope, Mr. Greg
Pound, Stephen
Prentice, Bridget
Prentice, Mr. Gordon
Prescott, rh Mr. John
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Mr. Ken
Purnell, rh James
Rammell, Bill
Raynsford, rh Mr. Nick
Reid, Mr. Alan
Rennie, Willie
Riordan, Mrs. Linda
Robertson, Angus
Robertson, John
Robinson, Mr. Geoffrey
Rogerson, Dan
Rooney, Mr. Terry
Ruane, Chris
Ruddock, Joan
Russell, Bob
Russell, Christine
Ryan, rh Joan
Salmond, rh Mr. Alex
Sarwar, Mr. Mohammad
Shaw, Jonathan
Sheerman, Mr. Barry
Sheridan, Jim
Simon, Mr. Siôn
Simpson, Alan
Skinner, Mr. Dennis
Slaughter, Mr. Andy
Smith, rh Mr. Andrew
Smith, Angela E. *(Basildon)*
Smith, rh Jacqui
Smith, Sir Robert
Soulsby, Sir Peter
Southworth, Helen
Starkey, Dr. Phyllis
Strang, rh Dr. Gavin
Straw, rh Mr. Jack
Stunell, Andrew
Sutcliffe, Mr. Gerry
Swinson, Jo
Tami, Mark
Taylor, Ms Dari
Taylor, Dr. Richard
Teather, Sarah
Thomas, Mr. Gareth
Thornberry, Emily
Todd, Mr. Mark
Tredinnick, David
Trickett, Jon
Turner, Dr. Desmond
Turner, Mr. Neil
Tyrie, Mr. Andrew
Ussher, Kitty
Vaizey, Mr. Edward
Vis, Dr. Rudi
Walley, Joan
Waltho, Lynda
Weir, Mr. Mike
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Mr. Alan
Williams, Mrs. Betty
Williams, Hywel
Williams, Mark
Williams, Mr. Roger
Williams, Stephen
Willis, Mr. Phil
Willott, Jenny
Wills, Mr. Michael
Winnick, Mr. David
Winterton, rh Ms Rosie
Wishart, Pete
Woolas, Mr. Phil
Wright, Mr. Anthony
Wright, David
Wright, Mr. Iain
Younger-Ross, Richard

Tellers for the Noes:
Alison Seabeck and
Mr. Michael Foster

Question accordingly negatived.

It being more than three hours after the commencement of proceedings on the Bill, THE TEMPORARY CHAIRMAN *put forthwith the Questions necessary for disposal of the business to be concluded at that hour, pursuant to Order [12 May].*

Amendment proposed: No. 12, page 9, line 10, after 'parenting', insert

'and a father or male role model'.—*[Mark Simmonds.]*

The Committee divided: Ayes 222, Noes 290.

Division No. 198] **[6.59 pm**

AYES

Alexander, Danny
Amess, Mr. David
Ancram, rh Mr. Michael
Arbuthnot, rh Mr. James
Atkinson, Mr. Peter
Bacon, Mr. Richard
Baldry, Tony
Barker, Gregory
Battle, rh John
Bell, Sir Stuart
Bellingham, Mr. Henry
Benton, Mr. Joe
Benyon, Mr. Richard
Beresford, Sir Paul
Binley, Mr. Brian
Blunkett, rh Mr. David
Blunt, Mr. Crispin
Bone, Mr. Peter
Brady, Mr. Graham
Brazier, Mr. Julian
Breed, Mr. Colin
Brokenshire, James
Browning, Angela
Burnham, rh Andy
Burns, Mr. Simon
Burstow, Mr. Paul
Burt, Alistair
Cameron, rh Mr. David
Campbell, Mr. Gregory
Campbell, Mr. Ronnie
Cash, Mr. William
Chope, Mr. Christopher
Clappison, Mr. James
Clarke, rh Mr. Tom
Clifton-Brown, Mr. Geoffrey
Conway, Derek
Cormack, Sir Patrick
Cox, Mr. Geoffrey
Crabb, Mr. Stephen
Crausby, Mr. David
Cunningham, Tony
Curry, rh Mr. David
Curtis-Thomas, Mrs. Claire
Davies, Mr. Dai
Davies, David T.C. *(Monmouth)*
Davies, Mr. Quentin
Davis, rh David *(Haltemprice and Howden)*
Dodds, Mr. Nigel
Dorries, Mrs. Nadine
Drew, Mr. David
Duddridge, James
Duncan Smith, rh Mr. Iain

Dunne, Mr. Philip
Durkan, Mark
Evans, Mr. Nigel
Evennett, Mr. David
Fallon, Mr. Michael
Field, rh Mr. Frank
Field, Mr. Mark
Fisher, Mark
Foster, Michael Jabez *(Hastings and Rye)*
Fox, Dr. Liam
Francois, Mr. Mark
Garnier, Mr. Edward
Gauke, Mr. David
Gillan, Mrs. Cheryl
Godsiff, Mr. Roger
Goggins, Paul
Goodman, Mr. Paul
Goodwill, Mr. Robert
Gray, Mr. James
Grayling, Chris
Green, Damian
Grieve, Mr. Dominic
Grogan, Mr. John
Gummer, rh Mr. John
Hague, rh Mr. William
Hall, Patrick
Hamilton, Mr. David
Hammond, Mr. Philip
Hammond, Stephen
Hands, Mr. Greg
Harper, Mr. Mark
Harris, Mr. Tom
Havard, Mr. Dai
Hayes, Mr. John
Heald, Mr. Oliver
Heathcoat-Amory, rh Mr. David
Hendry, Charles
Hermon, Lady
Hoban, Mr. Mark
Hoey, Kate
Hogg, rh Mr. Douglas
Hollobone, Mr. Philip
Holloway, Mr. Adam
Horam, Mr. John
Horwood, Martin
Howard, rh Mr. Michael
Howarth, Mr. Gerald
Hoyle, Mr. Lindsay
Hunt, Mr. Jeremy
Hunter, Mark
Hurd, Mr. Nick
Irranca-Davies, Huw
Jack, rh Mr. Michael
Jackson, Mr. Stewart
Jenkin, Mr. Bernard
Jones, Mr. David
Kawczynski, Daniel
Keetch, Mr. Paul
Kelly, rh Ruth
Key, Robert
Kilfoyle, Mr. Peter
Kirkbride, Miss Julie
Knight, rh Mr. Greg
Kumar, Dr. Ashok
Lait, Mrs. Jacqui
Lansley, Mr. Andrew
Leigh, Mr. Edward
Lewis, Dr. Julian
Liddell-Grainger, Mr. Ian
Lidington, Mr. David
Lilley, rh Mr. Peter
Llwyd, Mr. Elfyn
Loughton, Tim
Mackay, rh Mr. Andrew
Mackinlay, Andrew
Maclean, rh David
MacNeil, Mr. Angus
Main, Anne
Malins, Mr. Humfrey
Marris, Rob
Mates, rh Mr. Michael
May, rh Mrs. Theresa
McAvoy, rh Mr. Thomas
McCrea, Dr. William
McDonnell, Dr. Alasdair
McFall, rh John
McGovern, Mr. Jim
McGrady, Mr. Eddie
McIntosh, Miss Anne
McLoughlin, rh Mr. Patrick
Meale, Mr. Alan
Mercer, Patrick
Miller, Mrs. Maria
Milton, Anne
Mitchell, Mr. Austin
Moss, Mr. Malcolm
Mudie, Mr. George
Mundell, David
Murphy, rh Mr. Paul
Murrison, Dr. Andrew
Neill, Robert
Newmark, Mr. Brooks
O'Brien, Mr. Stephen
Ottaway, Richard
Paterson, Mr. Owen
Penning, Mike
Pickles, Mr. Eric
Pritchard, Mark
Randall, Mr. John
Redwood, rh Mr. John
Reed, Mr. Andy
Reid, Mr. Alan
Rifkind, rh Sir Malcolm
Robathan, Mr. Andrew
Robertson, Hugh
Robertson, Mr. Laurence
Robinson, Mrs. Iris
Rowen, Paul
Roy, Mr. Frank
Russell, Bob
Scott, Mr. Lee
Selous, Andrew
Shapps, Grant
Shepherd, Mr. Richard
Short, rh Clare
Simmonds, Mark
Simpson, David
Simpson, Mr. Keith
Singh, Mr. Marsha
Smith, Geraldine
Snelgrove, Anne
Soames, Mr. Nicholas
Spellar, rh Mr. John
Spelman, Mrs. Caroline
Spicer, Sir Michael
Spring, Mr. Richard
Stanley, rh Sir John
Steen, Mr. Anthony
Stewart, Ian
Streeter, Mr. Gary
Stuart, Mr. Graham
Swayne, Mr. Desmond
Swire, Mr. Hugo
Syms, Mr. Robert
Taylor, Matthew
Thurso, John
Tipping, Paddy
Touhig, rh Mr. Don
Truswell, Mr. Paul
Turner, Mr. Andrew
Twigg, Derek
Vara, Mr. Shailesh
Vaz, rh Keith
Villiers, Mrs. Theresa
Walker, Mr. Charles
Wallace, Mr. Ben
Ward, Claire
Waterson, Mr. Nigel
Watkinson, Angela
Webb, Steve
Widdecombe, rh Miss Ann
Wiggin, Bill
Willetts, Mr. David
Willott, Jenny
Wilson, Mr. Rob
Wilson, Sammy
Wood, Mike
Wright, Jeremy
Yeo, Mr. Tim
Young, rh Sir George

Tellers for the Ayes:
Mr. David Burrowes and David Taylor

NOES

Ainsworth, rh Mr. Bob
Alexander, rh Mr. Douglas
Anderson, Mr. David
Armstrong, rh Hilary
Austin, John
Bailey, Mr. Adrian
Balls, rh Ed
Banks, Gordon
Barlow, Ms Celia
Baron, Mr. John
Barrett, John
Barron, rh Mr. Kevin
Bayley, Hugh
Beckett, rh Margaret
Begg, Miss Anne
Benn, rh Hilary
Bercow, John
Berry, Roger
Betts, Mr. Clive
Blackman, Liz
Blackman-Woods, Dr. Roberta
Blears, rh Hazel
Blizzard, Mr. Bob
Borrow, Mr. David S.
Bradshaw, Mr. Ben
Brake, Tom
Brennan, Kevin
Brooke, Annette
Brown, rh Mr. Gordon
Brown, Lyn
Brown, rh Mr. Nicholas
Brown, Mr. Russell
Browne, rh Des
Bruce, rh Malcolm
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burt, Lorely
Butler, Ms Dawn
Byers, rh Mr. Stephen
Byrne, Mr. Liam
Caborn, rh Mr. Richard
Campbell, Mr. Alan
Campbell, rh Sir Menzies
Carmichael, Mr. Alistair
Cawsey, Mr. Ian
Challen, Colin
Chaytor, Mr. David
Clapham, Mr. Michael
Clark, Ms Katy
Clark, Paul
Clarke, rh Mr. Charles
Clegg, rh Mr. Nick
Clelland, Mr. David
Coaker, Mr. Vernon
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cooper, rh Yvette
Corbyn, Jeremy
Cousins, Jim
Cruddas, Jon
Cryer, Mrs. Ann
Cummings, John
Cunningham, Mr. Jim
Davey, Mr. Edward
David, Mr. Wayne
Davidson, Mr. Ian
Dean, Mrs. Janet
Denham, rh Mr. John
Devine, Mr. Jim
Dhanda, Mr. Parmjit
Dismore, Mr. Andrew
Dobson, rh Frank
Donohoe, Mr. Brian H.
Doran, Mr. Frank
Dorrell, rh Mr. Stephen
Dowd, Jim
Eagle, Angela
Eagle, Maria
Efford, Clive
Ellman, Mrs. Louise
Engel, Natascha
Ennis, Jeff
Featherstone, Lynne
Fitzpatrick, Jim
Flint, rh Caroline
Flynn, Paul
Follett, Barbara
Francis, Dr. Hywel
Gapes, Mike
George, Andrew
Gerrard, Mr. Neil
Gibson, Dr. Ian
Gidley, Sandra
Gilroy, Linda
Goldsworthy, Julia
Goodman, Helen
Greening, Justine
Griffith, Nia
Griffiths, Nigel
Gwynne, Andrew
Hain, rh Mr. Peter
Hamilton, Mr. Fabian
Hancock, Mr. Mike

Hanson, rh Mr. David
Harman, rh Ms Harriet
Harris, Dr. Evan
Harvey, Nick
Healey, John
Hemming, John
Henderson, Mr. Doug
Hepburn, Mr. Stephen
Herbert, Nick
Hewitt, rh Ms Patricia
Heyes, David
Hill, rh Keith
Hillier, Meg
Hodge, rh Margaret
Hodgson, Mrs. Sharon
Holmes, Paul
Hope, Phil
Hopkins, Kelvin
Hosie, Stewart
Howarth, David
Howarth, rh Mr. George
Howells, Dr. Kim
Hughes, rh Beverley
Hughes, Simon
Huhne, Chris
Humble, Mrs. Joan
Hutton, rh Mr. John
Iddon, Dr. Brian
Illsley, Mr. Eric
Ingram, rh Mr. Adam
Jackson, Glenda
James, Mrs. Siân C.
Jenkins, Mr. Brian
Johnson, rh Alan
Johnson, Ms Diana R.
Jones, Helen
Jones, Mr. Kevan
Jones, Lynne
Jones, Mr. Martyn
Jowell, rh Tessa
Joyce, Mr. Eric
Keeble, Ms Sally
Keeley, Barbara
Keen, Ann
Kemp, Mr. Fraser
Khan, Mr. Sadiq
Kidney, Mr. David
Knight, Jim
Kramer, Susan
Ladyman, Dr. Stephen
Laing, Mrs. Eleanor
Lamb, Norman
Lammy, Mr. David
Lazarowicz, Mark
Leech, Mr. John
Lepper, David
Letwin, rh Mr. Oliver
Lovitt, Tom
Lewis, Mr. Ivan
Linton, Martin
Lloyd, Tony
Lucas, Ian
Mactaggart, Fiona
Malik, Mr. Shahid
Mallaber, Judy
Mann, John
Marsden, Mr. Gordon
Martlew, Mr. Eric
Maude, rh Mr. Francis
McCafferty, Chris
McCarthy, Kerry
McCarthy-Fry, Sarah
McDonnell, John
McFadden, Mr. Pat
McIsaac, Shona
McKechin, Ann
McNulty, rh Mr. Tony
Meacher, rh Mr. Michael
Merron, Gillian
Milburn, rh Mr. Alan
Miliband, rh Edward
Miller, Andrew
Moffatt, Laura
Mole, Chris
Moon, Mrs. Madeleine
Moore, Mr. Michael
Moran, Margaret
Morden, Jessica
Morgan, Julie
Mountford, Kali
Munn, Meg
Naysmith, Dr. Doug
Norris, Dan
O'Brien, Mr. Mike
O'Hara, Mr. Edward
Osborne, Mr. George
Osborne, Sandra
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Pelling, Mr. Andrew
Penrose, John
Plaskitt, Mr. James
Pope, Mr. Greg
Pound, Stephen
Prentice, Bridget
Prentice, Mr. Gordon
Prescott, rh Mr. John
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Mr. Ken
Purnell, rh James
Rammell, Bill
Raynsford, rh Mr. Nick
Rennie, Willie
Riordan, Mrs. Linda
Robertson, Angus
Robertson, John
Robinson, Mr. Geoffrey
Rogerson, Dan
Rooney, Mr. Terry
Ruane, Chris
Ruddock, Joan
Russell, Christine
Ryan, rh Joan
Salmond, rh Mr. Alex
Salter, Martin
Sarwar, Mr. Mohammad
Shaw, Jonathan
Sheerman, Mr. Barry
Sheridan, Jim
Simon, Mr. Siôn
Simpson, Alan
Skinner, Mr. Dennis
Slaughter, Mr. Andy
Smith, rh Mr. Andrew
Smith, Ms Angela C. *(Sheffield, Hillsborough)*
Smith, Angela E. *(Basildon)*
Smith, rh Jacqui
Smith, Sir Robert
Soulsby, Sir Peter
Southworth, Helen
Starkey, Dr. Phyllis
Strang, rh Dr. Gavin
Straw, rh Mr. Jack
Stunell, Andrew
Sutcliffe, Mr. Gerry
Swinson, Jo
Tami, Mark
Taylor, Ms Dari
Taylor, Dr. Richard
Teather, Sarah
Thomas, Mr. Gareth
Thornberry, Emily
Todd, Mr. Mark
Tredinnick, David
Trickett, Jon
Turner, Dr. Desmond
Turner, Mr. Neil
Tyrie, Mr. Andrew
Ussher, Kitty
Vaizey, Mr. Edward
Vis, Dr. Rudi
Walley, Joan
Waltho, Lynda
Weir, Mr. Mike
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Mr. Alan
Williams, Mrs. Betty
Williams, Hywel
Williams, Mark
Williams, Mr. Roger
Williams, Stephen
Willis, Mr. Phil
Wills, Mr. Michael
Winnick, Mr. David
Winterton, rh Ms Rosie
Wishart, Pete
Woolas, Mr. Phil
Wright, Mr. Anthony
Wright, David
Wright, Mr. Iain
Younger-Ross, Richard

Tellers for the Noes:
Alison Seabeck and
Mr. Michael Foster

Question accordingly negatived.

Clauses 14 and 23 ordered to stand part of the Bill.

New Clause 1

AMENDMENT OF THE LAW RELATING TO ABORTION

'In section 1(1)(a) of the Abortion Act 1967 (c. 87) (medical termination of pregnancy), for "twenty-fourth week" substitute "twelfth week".'.—*[Mr. Leigh.]*

Brought up, and read the First time.

Mr. Edward Leigh (Gainsborough) (Con): I beg to move, That the clause be read a Second time.

The Temporary Chairman (Mr. Roger Gale): With this it will be convenient to discuss the following: New clause 2—*Amendment of the law relating to abortion (No. 2)*—

'In section 1(1)(a) of the Abortion Act 1967 (c. 87) (medical termination of pregnancy), for "twenty-fourth week" substitute "fourteenth week".'.

New clause 3—*Amendment of the law relating to abortion (No. 3)*—

'In section 1(1)(a) of the Abortion Act 1967 (c. 87) (medical termination of pregnancy), for "twenty-fourth week" substitute "sixteenth week".'.

New clause 4—*Amendment of the law relating to abortion (No. 4)*—

'In section 1(1)(a) of the Abortion Act 1967 (c. 87) (medical termination of pregnancy), for "twenty-fourth week" substitute "eighteenth week".'.

New clause 5—*Amendment of the law relating to abortion (No. 5)*—

'In section 1(1)(a) of the Abortion Act 1967 (c. 87) (medical termination of pregnancy), for "twenty-fourth week" substitute "twentieth week".'.

New clause 6—*Medical termination of pregnancy: Amendment of the Abortion Act 1967*—

'(1) Section 1 of the Abortion Act 1967 (c.87) (medical termination of pregnancy) is amended as follows—

(a) in subsection (1), omit paragraph (d),

(b) after subsection (2), insert—

"(2A) No treatment for the termination of pregnancy shall be carried out under subsection (1) of this section on the grounds of the disability, gender, race or (should it become identifiable before birth) sexual orientation of the child.".

(2) In section 5 of that Act (supplementary provisions) omit subsection (2)(a).'.

New clause 7—*Amendment of the law relating to abortion (No. 6)*—

'After section 2 of the Abortion Act 1967 (c.87) insert—

"2A Informed Consent

(1) Subsections (2), (3) and (4) of this section shall not apply in the case of a medical emergency under section 1(4) of this Act.

(2) At an appointment with a registered medical practitioner, on receipt of an initial request for a termination of pregnancy from a pregnant woman, or for initial advice regarding the potential termination of a pregnancy, a registered medical practitioner shall, as soon as reasonably practical, and in any event at least five calendar days prior to a termination of pregnancy taking place (where such a termination of pregnancy is applicable), fulfil the following informed consent requirements—

(a) offer the pregnant woman counselling from a suitably qualified health professional; and

(b) provide the pregnant woman with the following information:—

(i) the embryonic and foetal development at two weekly intervals;

(ii) the physical, psychological and psychiatric risks associated with the termination of pregnancy, including a description of the methods of termination at different stages of pregnancy and any risks associated with such methods; and

(iii) the contact details of adoption services and other sources of help and advice, (including information on any disability or abnormality that the pregnant woman's embryo or foetus is at risk of suffering from if born).

(3) A registered medical practitioner must provide the pregnant woman with a written form, of which he must retain a copy, as soon as is reasonably practicable, certifying the date upon which paragraphs (2)(a) and (2)(b) of this section were complied with, and in the case of a termination of the pregnancy, the form must be completed prior to any such termination.

(4) Any persons who wilfully contravenes or fails to comply with the requirements of informed consent under subsections (2) or (3) of this section shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(5) The Secretary of State shall by statutory instrument make regulations to provide for informed consent as specified in subsections (1) to (4) of this section and shall make provisions concerning the procedure, the requirement for date certification by a practitioner or practitioners, the information requirements and any other ancillary matters as are necessary to ensure the fulfilment of the informed consent requirements.

(6) Any statutory instrument made by virtue of this section shall be subject to annulment in pursuance of a resolution by either House of Parliament."'.

New clause 8—*Foetal physical or mental abnormalities: Information and counselling*—

'After section 1 of the Abortion Act 1967 (c. 87) (Medical termination of pregnancy) insert—

"1A (1) If tests of a foetus reveal that there is a substantial risk that if the child were born it would suffer from such physical or mental abnormalities as to be seriously handicapped, a registered medical practitioner or a suitably qualified health professional expeditiously shall provide the pregnant woman with—

(a) current, scientific information in a written form concerning:

(i) the life expectancy of;

(ii) the expected intellectual and functional development of; and

(iii) the treatment options for;

a foetus diagnosed with, or a child born with, the physical or mental abnormalities identified as a risk by those tests,

(b) contact details for, where available, supportive service providers, including telephone help lines specific to the physical or mental abnormalities identified as a risk by those tests, and

(c) the offer of a suitable opportunity to receive relevant counselling and such other information as they deem proper.

(2) If, subsequent to the receipt of test results referred to under subsection (1), the pregnant woman notifies a registered medical practitioner that she is considering terminating the pregnancy, either wholly or partly as a result of those test results, then the termination must not take place until the information and offer set out in subsections (1)(a) to (c) have been provided.'.

New clause 9—*Amendment of the law relating to abortion (No. 7)*—

'In section 1(1)(a) of the Abortion Act 1967 (c. 87) (medical termination of pregnancy), for "twenty-fourth week" substitute "twenty-second week".'.

New clause 11—*Amendment of the law relating to abortion (No. 9)*—

'In section 1(1)(a) of the Abortion Act 1967 Abortion Act for "its twenty-fourth" week", substitute "23 weeks and 6 days".'.

Mr. Leigh: Mr. Gale—*[Interruption.]*

The Temporary Chairman: Order. Will Members who are leaving the Chamber do so quietly, please?

Mr. Leigh: Mr. Gale, it is an honour to open this debate. The only reason why new clause 1 is being considered first, and I am speaking to it, is that we wanted to give the Committee a chance to vote on all the new clauses in ascending numerical order at 10 o'clock; that, I think, is best and most convenient for the Committee.

My new clause 1 will limit social abortions to those carried out before 12 weeks' gestation. In Europe, the most common position is for abortions to take place before 12 weeks. The new clause would not affect some 89 per cent. of abortions.

The minds of most people in the Chamber will be made up. We each know where we stand, according to our conscience. We know when we think life begins, and whether we think it begins at conception or not. That is probably true of the so-called strongly pro-choice or pro-life people. For many of us, there are strong points of principle involved. Later in the debate, we will come on to the detail of the issue of when people think that an unborn child is viable. I hope that the Committee will forgive me if I spend a few moments setting out the principles that motivate us.

There is rightly much talk in the House about human rights and the rights of the vulnerable. In my personal view, there is just one, overwhelming, fundamental human right: the right to life. I must confess that my views have changed over the years. If I am to be honest with myself, I have to take an entirely consistent position. If a vote were to be held on capital punishment, I would vote against it. That is why I voted against all the recent wars, and why I am voting as I am on the Bill. I believe that one can only take a

[Mr. Leigh]

consistent position based on humanity, with all its faults and disabilities. That is where I stand; I do not know any other way. I hope that the House will forgive those of us who take that position.

7.15pm

We sometimes feel that the ghosts of great parliamentarians are looking down on us in our great debates on the social issues of the day. The great-great-grandson of William Wilberforce said recently that he thought that if that great parliamentarian were here now, he would support us. Wilberforce fought against entrenched opposition, moneyed interests and a world view according to which some people were not fully human. We know that we are up against it tonight; we know that the pro-choice lobby dominates the establishment, and that we are talking about a multi-million-pound industry, but for all that, we feel that our voice has to be heard. It is not perhaps the voice of the leading members of the medical establishment, or the voice of the majority in the House of Commons, but it is the voice of many people in our country, and the views expressed by that voice have to be put on record.

We believe that an unborn child of 12 weeks' gestation has undeniable human characteristics. Her organs, muscles and nerves have begun to function. She has fingernails and toenails. To become a child, she needs nothing more than to stay for a few months in the safety of her mother's womb. We will all take different views. Some will not share our opinion, but undeniably the view is developing in this country that what I say is more and more true of unborn children at 16, 18 or 20 weeks. We must accept that in this instance we are dealing with a human life. If we cannot deny the humanity of babies at 12 weeks, we cannot deny our duty to protect them.

Those are our views, and I set them out at the beginning of the debate, but I know that many people will not accept them. However, I think that they will accept that public opinion is changing in this country. That is why I tabled the new clause. The public are beginning to realise that we are out of step with many other countries. That is partly because, as a result of advances in modern medical science, we know so much more about what goes on in the womb.

Only this week, I read a moving article by Vincent Argent, the former medical director of the British Pregnancy Advisory Service. He is not a religious person. He has carried out many abortions, and he is presumably pro-choice. He was critical of the euphemistic way we talk of foetuses when we discuss abortions, whereas when we refer to IVF we talk of babies. He said:

> "Most people do not realise just how distressing late abortions can be. The procedure remains the last taboo. While heart and brain surgery are regularly shown on television, the reality of a late abortion has never been seen on British screens…It is hard to describe how it feels to pull out parts of a baby, to see arms, and bits of leg, and finally the head."

I know that it is distressing to read that; I do not want to cause distress, but we have to accept that there is a double standard. We are so careful about the life of a baby when it is wanted, and so concerned about the mother's health, but we are dismissive of the rights of an unborn child when it is not wanted. Of course we would like every child to be a wanted child, and of course we appreciate the enormous pressures on women, and the difficulties that they face. However, an unwanted foetus can become a wanted child, but a dead foetus can never become a living one. That is our position.

Anne Moffat (East Lothian) (Lab): The hon. Gentleman talked about double standards. Is it not a double standard for him, a total anti-abortionist, to use the new clause to chip away at legislation that is required for the safety of women and children? As an ex-nurse—an ex-professional—I have seen things at first hand. A woman who has an abortion after 24 weeks of pregnancy does so because of extreme medical circumstances.

Mr. Leigh: That is the hon. Lady's view. I think that everybody knows where I stand, and many people in the Chamber will have religious convictions. As we know, the fact is that politics is about practical realities.

The practical reality is that in this country we have a 24-week abortion limit, which is one of the highest in Europe. As public opinion changes, we as parliamentarians are entitled to give the House a chance to vote on various options to reduce it, from 12 weeks to 22 weeks. That is all we are doing. We know that whatever our personal views, religious or otherwise—many people who believe strongly in abortion are not religious—we know that abortion on demand up to 10 or 12 weeks is the reality in every country in Europe, apart from Ireland and Malta. It is not a question of chipping away; we are giving the House the opportunity to vote.

There are double standards about the unborn child. Whatever one's views on abortions—I understand the strongly held views of many people who feel that they have to defend the rights of women to make a choice about something in their own body—surely everyone in the Chamber feels depressed about what is going on in Europe. It presents a bleak picture of our country that we have one of the highest abortion rates in Europe—200,000 a year. In modern Britain, the most dangerous place to be is in one's mother's womb, which should be a place of sanctity. Ninety-eight per cent. of abortions are social. Only 1.3 per cent. are because of foetal handicap and 0.4 per cent. are because of the risk to the mother's life. It is a bleak picture of modern Britain.

We read in our newspapers this week that some women have multiple abortions: 4,000 women have had four abortions, and scores have had eight. Is that the sort of Britain to be proud of? I know that I will not get the support of many people when I say this, but fewer abortions will mean fewer women suffering. It is pro-women to take the position that we take. The Royal College of Psychiatrists recently issued a statement about the mental and physical damage to women's health caused by abortions.

That is our principled stand. We have set it out, knowing that it is not shared by everybody, but it is the view of many of our fellow countrymen and country ladies, and that view must be put forward.

Why do I speak of 12 weeks? I know many hon. Members will be doubtful about voting for the motion. They will say that it represents an extreme point of view, but is it so extreme? The limit of 10 to 12 weeks applies in France, Portugal, Slovenia—although in Slovenia there is an appeal to a committee—Austria, Belgium. Bulgaria, the Czech Republic, Denmark, Estonia, Finland, Germany, Greece, Hungary, Italy, Luxembourg, Poland, Slovakia and Spain. In Romania the limit is 14 weeks, and in Sweden 18 weeks.

The 24-week limit applies only in the United Kingdom, Holland, Latvia, Lithuania and Cyprus. Do we want to be up there in that league? Germany, Austria and France are great countries with wonderful Parliaments and democracies. They debate these matters and, after mature debate, they have all taken the view that a limit of 10 or 12 weeks is about right.

Mr. Laurence Robertson (Tewkesbury) (Con): My hon. Friend will be aware that even in the United Kingdom abortion is not available on demand everywhere. In Northern Ireland, as the hon. Lady and the hon. Gentlemen sitting on the Benches in front of me will testify, abortion is still illegal.

Mr. Leigh: I hope that if we still believe strongly in the right of the people of Northern Ireland to have control of their own affairs, we will let them make that decision in the way that most of their leading political parties want to make it.

Given what is happening in the rest of Europe, it is not surprising that public opinion is changing. A recent ComRes poll showed that 58 per cent. of the people, including three out of four women, think that abortion should be limited to 20 weeks or less, and 41 per cent. of women think that the abortion limit should be lowered to 12 weeks or less, so ours is not an extreme view. I know that opinion polls are not conclusive and one can throw doubt on a particular poll, but I am sure everybody will accept that there is a genuine change in public opinion and we should reflect that in this House.

Forty years ago the House was asked by a Member: "Would the sponsors of the Bill think it right to kill a baby they can see? Of course they would not. Why then do they think it right to kill one they cannot see?" Since 1990, despite what we were promised way back in 1966 and 1967, we have effectively had abortion on demand, certainly up to 18 or 20 weeks and, under the law, up to 24 weeks. But since 1990 we have learned so much more about what goes on in the womb. We can see babies walking and sucking their thumbs. I have seen that with my own six children.

Forty years ago, another right hon. Member made this telling statement: "When a decision about abortion is taken, the mother can speak, the doctor can speak, the father may well speak, but what can the child in the womb say? The child cannot speak. She cannot say, 'I want to live.'" I believe that we should give that silent child a voice.

Mrs. Claire Curtis-Thomas (Crosby) (Lab): I shall speak to new clauses 7 and 1, and other new clauses relating to a reduction in the limit beyond which an abortion may not take place. I share the views of the hon. Member for Gainsborough (Mr. Leigh). I am sorry that we do not all have the same view on this issue.

In 2006, 193,000 women in this country had abortions. Under new clause 7, the next 200,000 women who will probably elect to have an abortion next year would have the right to appropriate support and information before making a final decision. Obtaining an abortion is incredibly easy. I know that at first hand, having recently accompanied my friend to an NHS-sponsored clinic. Consultations at the hairdresser's have taken longer than the time it took to make a decision to have an abortion.

For the record, and contrary to many of the statements that I have read this week which purport to know my views, I am not opposed to abortion. I believe that women should have the right to choose; I just hope that they do not choose to have an abortion. I hope that all of us here are working to create an environment in which economic and social abortions are unnecessary, and that babies who are disabled or who are not considered acceptable because they may be handicapped in one way or another are no longer considered to be such a burden on society that we must get rid of them at all costs.

I would very much like it if we could change the rules and regulations so that the same rules applied to babies in the womb who have a disability as to those who do not. I do not understand why we continue to discriminate against them. For me, all individuals are born equal, irrespective of the disabilities they manifest. That is irrelevant. We are all of the same value.

Having an abortion is a very serious undertaking, and women who have had one rarely ever mention it again. I suppose that for many it is something that they would prefer to forget, but even for them, echoes of that day will live with them for ever. Some will come to bitterly regret their decision. Some women will invariably develop depressive anxiety or other mental health disorders as a direct result of a five-minute decision.

The new clause seeks to ensure that women presenting themselves for an abortion are given the sort of information that women should have had since the introduction of the law. I am arguing that at least five days before a woman finally makes any decision to have an abortion, a doctor should be required to offer her counselling and the details of the embryonic and foetal development of her baby at two-weekly intervals. She should also have information about the physical, psychological and psychiatric risks associated with the termination of pregnancy, including a description of the methods of termination of different types of pregnancies and any risks associated with those methods. Finally, the woman should have a right to know about adoption services and other sources of help and advice, including information on any disability or abnormality from which the pregnant woman's embryo or foetus is at risk of suffering if born.

7.30pm

Dr. Evan Harris: Does the hon. Lady accept, first, that the existing consent forms and information sheets approved by the Royal College of Obstetricians and Gynaecologists provide information about the risks associated with abortion and as much information as the woman needs? Secondly, does she accept that it cannot be right to force doctors to give information that a woman says she does not want because she would find it distressing? Does the hon. Lady accept that the role of the doctor is not to hector or impose on women burdensome information, which they do not want to know, about the methods of abortion? That does not happen in any other form of medicine, and it should not happen in the one that we are discussing.

Mrs. Curtis-Thomas: But it does happen, does it not? When a man presents for a vasectomy at a doctor's surgery, the doctor does not say, "Come in, sit down and take your trousers off." He says, "I think you ought to think about this for a little while." If the man involved is under the age of 30, childless and not yet married, the doctor may well say to him, "I think you ought to think about this seriously." I do not agree with the hon. Gentleman; on many occasions, a doctor will take his patient to one side and say, "Think about this very seriously."

Ms Angela C. Smith (Sheffield, Hillsborough) (Lab): I thank my hon. Friend for giving way. Is she ready to acknowledge the very good work that is already done by a range of services in respect of counselling and carefully advising women before they make their decision?

Mrs. Curtis-Thomas: Yes, well, there are such services, of course, and I am aware of them. However, as I said earlier, I took my friend along for an abortion and no such services were available where we went. As for reading the small print, I happen to think that the event is so traumatic that many women are incapable of reading what is put in front of them. *[Interruption.]* That is the truth of it. Abortion is a very traumatic event and, as with other traumatic events, people require an opportunity to reflect on what is being said.

Those of us who have gone with relatives who are suffering from or diagnosed with cancer recognise those circumstances. The diagnosis is so traumatic and the impact on the individual so enormous that they are frequently precluded from understanding the significance of the decisions in front of them. That is why they elect to take somebody with them, and that is why I was pleased to accompany my friend.

Michael Jabez Foster (Hastings and Rye) (Lab): Is it not the case that one has to have informed consent in respect of almost every profession? When we go to a lawyer, he does not say, "I'm going to give you one half of the story but not the other." Is informed consent not a prerequisite for any treatment of most medical conditions?

Mrs. Curtis-Thomas: It most certainly is. I have consulted a number of my medical friends about this issue. In other procedures, particularly those involving children, parents will often be sat down and invited to consider the consequences of the child's condition and of any operation. Then they will be encouraged to go home and talk to friends and family about them.

I believe that informed consent is a natural part of a whole range of medical procedures in this country. I just do not understand why it has been omitted in respect of what we are discussing. I understand that abortion is very traumatic and that women will find themselves in a terrible predicament, but I do not think that we will help them in the long term by expediting the process so quickly that we do not give due respect to what is being considered and undertaken.

Susan Kramer (Richmond Park) (LD): I appreciate the hon. Lady's giving way. She will be aware that the doctor is required to offer counselling and that the forms are structured around informed consent. Does she not agree that attempts to reduce the time limit for abortions remove from women the opportunity to think through the issues? Will she join us in pursuing that issue?

Mrs. Curtis-Thomas: I have heard that argument frequently this week. Frankly, the notion that we are limiting choice by suggesting that the limit for terminations should be reduced from 24 to 12 weeks is farcical. Nobody in the House is suggesting that we should extend the limit for legal abortions to 30 weeks to allow women another six weeks to consider their position. The issue of 24 weeks is about viability. I believe that many Members on both sides of the House are convinced that, given the opportunity, far more babies born and delivered at 23 weeks would be viable, and that we therefore have to protect them.

Ms Angela C. Smith: No, that is not true.

Mrs. Curtis-Thomas: I hear from a sedentary position that that is not true, but a baby who was born at 22 weeks and six days is alive today. I do not know where science will take us; I am told that we can expect improvements in the care given to children in neonatal units. I hope so, but I do not believe that it is wrong to curtail the time available for a woman to decide whether she is going to have an abortion.

All the information that a woman needs about whether a baby has a physical or learning difficulty is available to her long before the 24-week cut-off date. I speak as a woman who has undergone those procedures, and I have two children with severe learning difficulties.

Mrs. Jacqui Lait (Beckenham) (Con): I am most grateful to the hon. Lady. I do not want to trade personal cases with her, but a constituent of mine has told me that at 22 weeks it was suggested to her that her baby had foetal abnormalities and that only at 23 weeks and three days was that confirmed. If the hon. Lady's proposal was put in place, I suggest that it would have made things extraordinarily difficult for my constituent.

Mrs. Curtis-Thomas: I think that that was due to the timing of the tests, which might take place later in the pregnancy. However, as I know myself, tests are taken at 12, 14 and 16 weeks. If the tests are conducted then, their outcome can be known in the 20th week.

Dr. Desmond Turner: It is a medical fact that it is not possible to diagnose certain foetal abnormalities until about 22 weeks. Is the hon. Lady aware of that?

Mrs. Curtis-Thomas: I am most certainly aware of that because, unlike my hon. Friend, I have personally been through the procedure. I am very clued up about when the results of the tests can be received. Actually, the tests relate to the development of cultures. If the cultures are taken early enough, the results come at 20 weeks. By the way, I feel that I should tell Members that when I was given the results of my tests, it was immediately suggested to me that I should have an abortion.

Mr. Willis: I am very grateful to the hon. Lady for giving way. I hope that she will agree that it is important early in this debate for us to put the science before the Committee and agree on some of the facts. The two major reports that look at viability—the EPICure 1 and EPICure 2 studies, the latter of which came out this year—confirmed that very few pre-term babies of less than 23 weeks come out of hospital and that virtually none at 22 weeks do. The Trent study, which has just been published, also says that no babies came out of hospital at 22 weeks. Is the hon. Lady saying that that body of evidence—the largest studies of the issue in this country, and among the largest in the world—should be disregarded? Does she not feel that all the people involved actually want—

The Temporary Chairman: Order. Could I ask hon. Members to keep interventions brief? There are a huge number of Members wishing to take part in the debate.

Mrs. Curtis-Thomas: I cannot disagree with a body of evidence, but neither can I agree that abortion at 24 weeks is acceptable.

Dr. Pugh: The hon. Lady may not know that the recent drafts of the EPICure 2 study show a difference from the Trent study. They show an increased viability beyond 20 weeks.

Hon. Members: No.

Mrs. Curtis-Thomas: The hon. Gentleman is sitting there, and I concur with his views. *[Interruption.]* Well, there is dissent, whether we like it or not. The hon. Member for Harrogate and Knaresborough (Mr. Willis) has said that some babies born at 23 weeks are viable. Of the 193,000 abortions that we had last year, some of the late stage abortions, which have to be lethally injected in vitro before they are delivered, might have been viable, although I accept that the number itself would be small. I cannot stand here and say that it is all right to take those lives; I cannot do that. I would be much happier with 12 weeks—that is where I stand. Let women have the choice, but make it at 12 weeks.

Judy Mallaber (Amber Valley) (Lab): What choice?

Mrs. Curtis-Thomas: There is a choice. Pregnancy can be diagnosed days before a woman misses her period, let alone a few days afterwards. I cannot accept that we should keep the limit where it stands, when there is a possibility of a viable life being taken. I cannot accept that, and the vast majority of people in this country find that prospect deeply uncomfortable. Even if it were only one life, it could not be justified, but it is not just one. Within that 193,000, there are considerably more lives that could be viable, and our job is to protect the vulnerable. It is not for us to expedite what happens for the convenience of parents. For me, they have a right to life, and at that age, we should respect the fact that they should be with us.

Dr. William McCrea (South Antrim) (DUP): Is it not true that it is so easy to dehumanise these children—these people—because we cannot hear their voice and we do not see their form?

Mrs. Curtis-Thomas: In the article referred to by the hon. Member for Gainsborough, the eminent doctor stated that no person seeking IVF treatment going for their first scan is told, "Oh, I can see your foetus." What is said is, "I can see your baby, and here is his feet, here is his head and here is his spine, and it is all looking fine." It is very convenient to hide behind the word "foetus" and other non-descriptors, because it makes it far easier to bear an abortion. It makes it far easier for all concerned to deal with the termination of a baby, which can go on to be a child—a very happy and loved child. Other studies suggest that those mothers who first elected to have an abortion and then changed their minds would have bitterly regretted such a decision a few years down the line, because the experience of the child is a different reality from the spectre sometimes painted by individuals in a hospital who think that they know what is best for a mother.

I want to bring my comments to an end. I understand that lots of Members want to contribute to the debate today. I do not think that it is wrong to argue for a woman to have more information and advice at the most critical time in her life. It is not wrong to argue for a few days of rest time to consider what will be a profound decision. I hope that the House will agree to support my new clause.

Mark Pritchard (The Wrekin) (Con): I rise to discuss new clause 3, but I will support any reduction in the current term limit, from 20 weeks downwards.

Abortion is a sensitive and complex issue. It is a subject best debated in moderate and respectful language, and I believe that it has been thus far in this debate. Members of all parties have strongly held views, as we have already heard. They are views that I respect, although I may disagree with some of them. I would like to put a question to the Committee today. Has the common practice of abortion moved away from the spirit of the original Abortion Act 1967, which was amended by the Human Fertilisation and Embryology Act 1990?

7.45 pm

The 1967 Act makes it crystal clear that when the termination of the unborn takes place, it should be

> "to prevent grave permanent injury to the physical or mental health of the pregnant woman; or"

if the pregnancy would put the mother's life at risk; or

> "if the child…would suffer from such physical or mental abnormalities as to be seriously handicapped.".

I think that most hon. Members accept those reasons, as well as reasons of incest and rape. There is, however, increasing concern inside and outside this House that far too many abortions are being carried out for social, rather than medical, reasons. Is it right that Britain carries out 200,000 abortions a year—600 abortions a day—and 6,200 of those abortions between 16 and 20 weeks? Is it right that 4,000 women in 2006 had had four repeat abortions, that nearly 1,000 women had had more than five abortions, and that some had had up to eight abortions, as my hon. Friend the Member for Gainsborough (Mr. Leigh) has already pointed out? Is that what our predecessors in 1967 set out to achieve in the original Act? There have been 6.7 million abortions in the United Kingdom since 1967.

Far too many babies are terminated in the second and third trimesters. For those in the third trimester, abortion can often mean a lethal injection to the heart, and then the carving and slicing of the unborn child's body parts, tearing limb from limb, cracking the infant's skull and discarding the baby's body parts into a blood-filled plastic bucket. I challenge the media, as did my hon. Friend the Member for Gainsborough: let us see on prime-time network television a late-term abortion for everybody to see. It is in the public interest, with millions of pounds of taxpayers' money being spent on abortion every year. Let the people of this country decide what goes on, what they will pay for and what they will stand for. Let us have these investigative reporters, these brave journalists who speak about the public interest on the BBC, ITV, Channel 4 or independent and Sky television put on that programme and let the people of this country decide for themselves. Why are they afraid of it? Why are they shying away? Let us see some real broadcasting for the public good.

Ms Angela C. Smith: Will the hon. Gentleman give way?

Julie Morgan (Cardiff, North) (Lab): Will the hon. Gentleman give way?

Mark Pritchard: I will in a moment.

The Government have an important part to play. For example, they could improve sex education and provide better access to contraceptive services. Nearly 70 per cent. of GPs do not offer a full choice of contraceptive methods. For too long, contraceptive services have been seen as the Cinderella service of public health, and I hope that all primary care trusts that are represented in this House today will do more to improve those services.

Ms Angela C. Smith: Will the hon. Gentleman give way?

Mark Pritchard: In a moment, if I may. The hon. Lady has intervened already, and I want to give other hon. Members an opportunity later.

A lot has been heard in this House and in the media about women's rights. I am happy to affirm those rights today, but a cursory glance at 19th-century and even early 20th-century social history reveals that it was the feminist movement, alarmed by a male-dominated medical profession, that led the charge against liberalising abortion laws. Proponents of liberal abortion laws—perhaps outdated now, given the advances in science in recent years—should tread carefully when invoking women en masse. Yes, I am a man, but that does not mean that I cannot represent the overwhelming opinion of women in my constituency, three quarters of whom support a reduction in the current limit. Hon. Ladies who hold a particular view should not say that they speak for all women in this country—they clearly do not.

Ms Angela C. Smith: Will the hon. Gentleman give way?

Mark Pritchard: I am happy to give way to another hon. Member, but one or two are dominating the debate.

Julie Morgan: Does the hon. Gentleman accept that those who seek late abortions are often the most desperate and vulnerable—sometimes very young—women, who would never wish to be in that position? Would he criminalise them?

Mark Pritchard: No; I would not. The hon. Lady makes an important point, but she underlines my earlier case for better sex education, better family health services and better options, as the hon. Member for Crosby (Mrs. Curtis-Thomas) has set out, such as adoption services. It is a tragic paradox that, in ward A of a hospital, doctors paid for by the taxpayer are trying to create life while, in ward B, other doctors paid for by the taxpayer are terminating it. At some point, we need joined-up thinking about how to help those who are working so hard to have a baby. We are discarding babies by the thousand, yet would-be parents in my constituency—and, doubtless, in the great city of Cardiff—want to adopt a child. Why are we terminating so many unborn children?

I should like to pay tribute to many hon. Members, but I start with my right hon. Friend the Member for Witney (Mr. Cameron). Unlike many leaders, he has shown courage and leadership in standing up and saying that he supports a reduction in the term limit. The Prime Minister has said that he will start to listen. If he wants to do that, he should listen to the two thirds of the British public who support a reduction in the abortion term limit, including three quarters of women. The overwhelming majority of GPs also support that reduction. Indeed, many are not prepared to perform abortions over 16 weeks, in which case people have to be brought over from abroad. If the Prime Minister is serious about listening, he will listen to the women of this country.

Dr. Nick Palmer (Broxtowe) (Lab): I am not sure whether the hon. Gentleman is assisting his argument by introducing a political element. Does he agree that, whatever term limit we determine, the sort of neutral information for which my new clause provides will help women in the desperate position whereby they suddenly learn of a danger to their child about which they did not know?

Mark Pritchard: Absolutely. I look forward to considering new clause 8, which I fully support. I was not being partisan or party political—I simply stated the facts. If that is inconvenient or uncomfortable for hon. Members, I make no apology. The issue is important for the nation, and I was considering national leadership, not partisan politics. New clause 3 shows that I have cross-party support.

There are consequences for mothers. Abortion is not risk free or without cost to the mother. We have heard about higher rates of mental illness, an increased risk of breast cancer and the possibility of future premature births. All the facts need to be presented to women, informing them of the risks of abortion and the associated costs, possibly later in their lives.

Why 16 weeks? Scientific evidence increasingly suggests that unborn children feel pain at 16 weeks. That is not simply a stress response; it is a physiological response, perhaps not the same as in a fully grown adult, but a physical and even emotional response beyond the norms of passive reflex. Pain is felt, which is why specialist, gifted surgeons who perform surgery on babies in the womb use anaesthetic. Now, 4D imaging reveals that 16-week-old unborn babies are very much alive and kicking, although their limbs are too small to be felt by the mothers. Those who have had children know that they are likely to feel kicking at around 17 weeks in the case of a second baby and 19 weeks in the case of a first baby. However, just because the mother does not feel kicking, it does not mean that there is no leg kicking.

Sixteen-week-old unborn babies are very small human beings, but they have many of the faculties of newborn babies. I will probably get told off for doing this, but I have a picture of a 16-week-old unborn baby. It speaks for itself.

The Temporary Chairman: Order. The hon. Gentleman has been told off.

Mark Pritchard: I am always being told off, Mr. Gale, so I shall simply add that to the list.

That picture, like the one on my website, is not a tissue blob or an unrecognisable collection of cells, but a living, small human being. Even some botched abortions between 16 and 20 weeks' gestation revealed the extent of their humanity. One study in the west midlands revealed that 14.7 per cent. of the abortions undertaken ended in a live birth. Indeed, babies born alive after failed abortions are increasingly common.

An expert from the International Association for the Study of Pain wrote in volume XIV of the "Clinical Updates":

> "Our current understanding of development provides the anatomical structures, the physiological mechanisms and the functional evidence for pain perception developing in the second trimester."

I believe that the unborn are fearfully and wonderfully made. Terminating a child that has been woven and knitted in the womb should be a choice of last resort, not the latest manifestation of Britain's throwaway society.

Mr. Andy Reed (Loughborough) (Lab/Co-op): Will the hon. Gentleman give way?

Mark Pritchard: Briefly.

Hon. Members: He's just walked in.

Mr. Reed: I have been sitting here throughout. Does the hon. Gentleman agree with me, as someone who was adopted in 1964 three years before the 1967 Act, that—to revert to his original concept—we want a massive reduction in the number of abortions? It is emotive to talk about the number of weeks. Would it not be better if the Committee were to return to the original concept of the law, which the hon. Gentleman has rightly read out, and ensure that abortions are not a matter of convenience, but are undertaken for the reasons in the original Act. Would that not serve the country better than talking about the number of weeks?

The Temporary Chairman: Order. Again, I appeal to hon. Members to keep interventions brief. We have three Front-Bench spokesman waiting to speak, two hours of debate and at least 15 hon. Members wishing to contribute. We must show each other some courtesy.

Mark Pritchard: Thank you, Mr. Gale. It was a long intervention, but it was worth while, because the hon. Gentleman has made some personal and valid points. My answer is that I hope that we can do both those things.

I often wonder, given Britain's skills shortage, how many of the 200,000 aborted last year could have been the engineers and maths teachers that we need. Indeed—and not on a light note—how many could have been the English cricketers and football players that we need? A lot of talent has been lost.

I hope that, given the cross-party support for new clause 3, we will have an opportunity to divide on the matter and to enter the same Lobby. I hope that the House will have a chance to express its view on foetal pain, sentience, the sanctity of life and public opinion.

Chris McCafferty (Calder Valley) (Lab): Because the hon. Member for The Wrekin (Mark Pritchard) made some political points, may I say at the outset how sad I am that the former hon. Member for Crewe and Nantwich, the late Gwyneth Dunwoody, cannot be here to speak in this debate? Gwyneth was a great champion of women's rights. I think that she would have been disappointed, as I am, that this debate is, with some very honourable exceptions, dividing on party political lines. [HON. MEMBERS: "Oh!"] It is true.

It is clear from the last three speeches that abortion is an emotional topic. It provokes strong reactions in almost all societies and is clearly doing so in the House this evening. There seems to be an unspoken agreement that women should be patronised when they become pregnant and steered towards the expected outcome of carrying that pregnancy to term. People who are not directly involved with unwanted pregnancies dominate the public debate. Not surprisingly, they operate on wrong assumptions about how a pregnant woman should be treated and cared for.

8 pm

The first gross misconception is the assumption that restricting abortion or making it illegal would in some way be pro-life. The error in that argument is that the exclusive focus is on the foetus. The woman is totally ignored, as if she does not count. A clear example of the low value put on women's health by the anti-choice lobby is the recent Polish court case in which a woman was forced to become nearly blind as a direct result of being denied an abortion. That woman's sight had less value than upholding her pregnancy. I hope that hon. Members will not go down that route tonight, because that position implies that one can protect life by restricting access to abortion or making it illegal. However, there is no evidence at all that restricting abortion reduces the numbers.

Michael Jabez Foster: Is my hon. Friend not pursuing a false premise? No one is suggesting that the life or the health of the mother should be compromised. We are talking about healthy mothers and healthy babies.

Chris McCafferty: Perhaps my hon. Friend is not aware of the recent National Institute for Health and Clinical Excellence guidelines on scans, which are quite clear. The recent guidelines, in "Antenatal care: Routine care for the healthy pregnant woman", from March 2008—

Miss Ann Widdecombe (Maidstone and The Weald) (Con): Will the hon. Lady give way?

Chris McCafferty: No, I will not give way. [HON. MEMBERS: "Ah!"] I will not give way—it is important to make this point. Those guidelines say:

> "Pregnant women should be offered an ultrasound scan to screen for structural anomalies, ideally between 18 and 20 weeks' gestation",

which is medical speak for up to 21 weeks, with the emphasis on "ideally". We all routinely campaign for NICE guidelines to be implemented, do we not? I therefore have to assume that hon. Members also believe in those guidelines, or perhaps they are the exception.

What has been proven to reduce abortions is comprehensive sex education and unrestricted access to effective contraception and early safe abortion services. Opposition Members might not like it, but it is an established fact that Dutch women have the lowest abortion rates in the world, and that is because they have that access. Far from reducing the frequency of unwanted pregnancies and abortions, restricting abortion forces women to resort to illegal and mostly unsafe abortions, which endangers their health and their lives. That is why virtually all developed countries legalised abortions in the previous century—because they could no longer accept the tragic suffering and loss of their female population.

If women have no access to legal abortion, they resort to illegal means. Women will go to any lengths and will take any risk to end an unwanted pregnancy—and "any" means exactly that.

David Taylor: Will my hon. Friend give way?

Chris McCafferty: No; I want to make some progress.

Illegal abortion is extremely risky. It is usually performed late and is frequently performed by an untrained person. Besides the medical risks, abortions performed under illegal conditions are socially unjust, because women with means can and will pay for safe abortions, leaving poor women at the mercy of illegal settings and the high risk that they bring.

Another fundamental misconception in the abortion debate is that society needs to intervene to ensure that pregnant women make the right decision. All restrictions in reproductive health imply that pregnant women must be protected from themselves, so that they do not make a hasty decision against having a child; we have heard about that this evening. Total strangers declare themselves advocates of a pregnant woman's foetus. Such a position not only violates the fundamental rights of women but is an incredible insult to women, being based on an arrogant and unthinking assumption that women in general are inferior to men.

Mr. Julian Brazier (Canterbury) (Con): Will the hon. Lady give way?

Chris McCafferty: No, I am not giving way.

The pregnant woman is the only person who can make a responsible decision in the best interests of herself, her family and her foetus. Abortion should be a private decision, between the patient and her doctor, just like any other medical treatment. Why is it so difficult for societies, even those such as ours, to give the power to decide to those who carry the consequences? That is another basic misconception—that women with an unwanted pregnancy should enter into the decision-making process only after counselling with someone they do not know. Apparently, a total stranger is in a better position to judge what is in the best interests of the woman. How ridiculous.

Mrs. Curtis-Thomas: Would my hon. Friend say that a child of 12 is a woman who knows her own mind and is capable of making a decision of that kind?

Chris McCafferty: No, we cannot say that a child of 12 is a woman.

Mrs. Curtis-Thomas: But she can be pregnant.

Chris McCafferty: She could be pregnant; but I would like to think that she would not be. If we had compulsory sexual health and relationship education in all our schools, there might be a better chance of that child not being pregnant. However, I accept that that does not preclude rape, incest or the unfortunate situations in which young girls can find themselves. I would hope that such a young person would be advised carefully by her family, not a stranger. That is my point entirely. Such decisions are always best taken within the framework of the family, not with strangers.

Mrs. Iris Robinson: Will the hon. Lady give way?

Chris McCafferty: No, I am not giving way again.

Restrictions may be well intended. I understand about the religious views of many hon. Members speaking in this debate and I know that they are well intentioned, but obviously I take a different view. The problem with restrictions, however well intended, is that they do not lead to a reduced frequency of unwanted pregnancies or abortions.

Mark Durkan (Foyle) (SDLP): Will the hon. Lady give way?

Chris McCafferty: No, I am not giving way.

Restrictions do not even lead to an improvement in the quality of care, and they certainly do not lead to an increase in the birth of wanted children. What restrictions do is delay gestational age at abortion, increase the risks to the physical and psychological health of the woman and increase the costs, but without any obvious benefits.

Miss Widdecombe: I am most grateful to the hon. Lady for giving way. The logic of her argument about restrictions being inappropriate is that women should be able to have abortion on demand right up to birth. Do I take it that she would not approve of that?

Chris McCafferty: I do not recall having said that. What I am saying is that putting restrictions in the way of women who have already made a difficult and, as my hon. Friend the Member for Crosby (Mrs. Curtis-Thomas) said, traumatic decision—she used that word about three times—is just prolonging the agony. Doing so is cruel and unnecessary. There are increased costs to society, but no benefits.

Mr. Gale—*[Interruption.]* Sorry, Mr. Deputy Speaker—[Hon. Members: "Sir Michael!"]—I mean Sir Michael; I am not sure how to address you in this debate. Society has shown impressive creativity in the past, in introducing all sorts of ingenious restrictions on access to abortion, none of which have shown any evidence-based benefit to the people involved. In most countries, and indeed here, the legal framework and the requirements for an abortion do not reflect the needs of women with an unwanted pregnancy; rather, they reflect the personal morality and the misconceptions of people who are both professionally inexperienced and personally not involved. Why is it so difficult to do the most obvious thing—give the power to decide to those who are most directly involved? Women carry a completely disproportionate share of the burden in reproduction, but where are their rights? And tonight we are talking about taking them away.

I say to the male Members of this House—they are in the considerable majority—that I recognise that they cannot get pregnant, let alone have an abortion themselves. I suspect that most of them are profoundly relieved that that is the case. Most women would believe that we would not be here having this debate if men could do that, but it is in men's own interests to maintain the reproductive health of women, because most are directly affected by and dependent on it. They should, therefore, be arguing not to restrict women's rights to choose, but for conditions that permit women to end an unwanted pregnancy, if necessary, in the best way possible for them and without unnecessary suffering. As we heard earlier, termination of a wanted pregnancy must be one of the very hardest decisions that women and couples have to make. As my hon. Friend the Member for Crosby said, it is traumatic.

The NICE guidelines, which I mentioned earlier, are very clear. Those new guidelines say that pregnant women should ideally—I stress that word—be offered an ultrasound scan at between 18 weeks and 20 weeks, which means up to 21 weeks. As I said, Members in all parts of the House always campaign for NICE guidelines, and I have to assume that that one is not an exception. I also say to Members that unless they do not accept the NICE guidance in this particular case, it would be wholly inconsistent for them to vote to lower the upper limit to 22 weeks or even less, because they would clearly be removing any element of choice from the process. Any reduction below the current 24-week limit would leave little or no room for women and couples to make a responsible, considered choice when a potentially serious abnormality is detected.

Of course, I agree that legislation should always adapt to take account of scientific and technical progress, but all the recent independent peer-reviewed research has shown very clearly that survival at below 24 weeks' gestation has not improved, despite advances in other aspects of antenatal care and the care of premature babies. When the 24-week limit was approved by Parliament in 1990, a key argument was that that was the stage at which the foetus was considered viable. It is the considered view of the British Medical Association, the Royal College of Obstetricians and Gynaecologists, the Royal College of Nursing and the British Association of Perinatal Medicine that there is no evidence of a significant improvement in the survival of extremely premature babies below 24 weeks' gestation in the UK within the last 18 years. The recent EPICure and Trent studies that were referred to earlier also say the same thing. There is no significant statistical improvement in survival under 24 weeks.

I have said many times in this Chamber—I will keep on saying it until Members start to listen—that the best way of reducing the number of unintended pregnancies and abortions is to improve women's access to contraception, as well as educating women and men about sexual health, and to make sexual health and relationship education compulsory in all our schools. In contrast, any reduction in the upper time limit would force a very small number of vulnerable women to continue a pregnancy against their will. Proposals to reduce the time limit do not even take into consideration the terrible plight of women who have a wanted pregnancy but discover a foetal abnormality at a later stage.

I, too, want to see a reduction in the number of women seeking abortion—I imagine that all Members in all parts of the Committee do—and a reduction in the gestation period at which abortions take place, but late-term abortions are very rare. In 2006, less than 1.5 per cent. of all abortions took place after 20 weeks, and of those, a mere 0.7 per cent.—a tiny fraction—were carried out at 22 weeks or later.

8.15 pm

I say to Members that they should vote for 22 weeks or less if they really are anti-choice. They should vote for 22 weeks or less if they really believe that a woman should be required to continue a late-diagnosed pregnancy even if her health is at risk or the foetus is abnormal. They should vote for 22 weeks or less if they do not believe that such difficult decisions should, wherever possible, be made within the family. For the purposes of giving the Committee an opportunity to vote positively on 24 weeks—23 weeks and six days is the medical definition of 24 weeks, the status quo—I say to Members that they should support the status quo if they are pro-life, pro-quality of life or pro a woman's life. They should support the status quo if they are pro women's rights—after all, women's rights are human rights. They should support the status quo if they are pro reproductive rights, because reproductive rights are also human rights. They should support the status quo if they are pro-humanity, because any reduction of the upper limit would be cynical, cruel, ill-informed and inhumane.

Mike Penning (Hemel Hempstead) (Con): May I say what an honour and privilege it is, as a relatively new Member of the House, to stand at the Dispatch Box and speak in such an important debate?

I know that it is normal to make kind comments about the previous speaker, and I will do my level best. Every hon. Member has the right to their own personal views, and I listened intently to the comments of the hon. Member for Calder Valley (Chris McCafferty). I agreed with her in part but not on most of what she said. She made very important points about contraception, which I will come back to later in my speech. There was one fundamental point that she got wrong—saying that this was all about religion. I am speaking at this Dispatch Box not from a religious

[Mike Penning]

standpoint, but from a moral standpoint. From that perspective, I must emphasise that the views that I am expressing this evening are my personal views, not those of my party. I have not discussed with any member of my party, the leadership or those on my Front Bench how I should vote later this evening. I think that that is exactly the way in which the Committee should be making those decisions.

It is a shame that Members have not been given the opportunity to speak for much longer than the three hours allowed for. That is not in any way a party political view; it is obvious from what Chairmen of the Committee have said this evening that many Members wish to speak. Many would have liked to speak for much longer than they had the opportunity to do and, sadly, it seems that some hon. Members will not have the opportunity to speak.

Stewart Hosie (Dundee, East) (SNP): The hon. Gentleman makes a point about the time that we have to debate these matters. Does he agree that bolting abortion on to the Bill in the first place was a big mistake, and that it would be perfectly honourable for Members to decide on a free-vote basis to vote tonight against every single amendment concerned with abortion on the basis that it has been tagged on to the HFE Bill in the absence of a royal commission and proper independent assessment of all the aspects concerning abortion?

Mike Penning: The hon. Gentleman makes an important point. It appears that we may have 10 sittings on the Bill on the Committee Corridor. We are where we are: the amendments have been tabled, and we have got three hours. With that in mind, I will not take a huge number of interventions. Other hon. Members have been very generous in giving way, but I am conscious of those Members who wish to contribute.

Since 1968—I apologise if I am using figures that have been used earlier, although I do not think they have—5.5 million pregnancies in this country have been terminated. As we heard earlier, the latest available figures show that nearly 200,000 were terminated in 2006. The figure has risen dramatically since 1969, when 5.2 women in 1,000 had an abortion. The figure is now 18.3 per 1,000, which is a huge number. I believe that everyone in the House would like to see a massive reduction in the number of abortions taking place in this country. This is not about choice; I want everybody to have a choice, but surely, in a compassionate society such as ours, we would all want to see fewer terminations taking place.

Mr. Swayne: May I ask my hon. Friend to be careful in the language that he uses? A great many euphemisms have been used in the debate, including babies being referred to as "foetuses" and abortions being referred to as "terminations". Does he recall that, when the Russians finally admitted to having downed the Korean jumbo jet, they said that they had terminated it, rather than having shot it down? Is it not grotesque that "family planning" is used as a euphemism for abortion in this country?

Mike Penning: My hon. Friend has every right to his own views, although I happen to disagree with them. I will use the terminology with which I feel happy, and I am sure that he will use the terminology with which he feels happy.

Mrs. Iris Robinson *rose—*

Mike Penning: I should like to make a little progress.

I want to move on to the sheer quantity of abortions taking place in this country today, and to the fact that 32 per cent. of women who have an abortion have had an abortion before. I find that enormously disturbing, both as a father and as a husband. Earlier today, I was having a conversation with an old friend who has daughters of a similar age to my own daughters. My daughters are 17 and 19 years old. This gentleman is not a politician, and he asked me how I was going to vote this evening. He told me that, the other evening, he had had a disturbing conversation with his 19-year-old daughter, who had been on Facebook, having a conversation with one of her friends from college. Her friend is already a single mother, and she told my friend's daughter that she was now pregnant again. My friend's daughter said to her, "This is really serious. What are you going to do?" Her friend replied that she was going to have an abortion. When my friend's daughter observed that this was a very serious matter, her friend replied that she had had two abortions already. I accept that that is not the norm, but it illustrates the failure of this country to address that problem.

I am not in any way taking a view on that person's individual circumstances. I am not there; I am not her father—I do not know whether she has a father. We do know, however, that it is not good for her to be in that position, and we must do everything that we possibly can—

Judy Mallaber *rose—*

Mike Penning: I should like to make some progress.

I know that, in some of her TV interviews, the Minister has communicated the priority of reducing the time that women have to wait for an abortion. I agree with her. Much of our debate tonight has been about how long people have had to wait for results and to find out whether their baby is in some way deformed. I find it difficult to understand why, in this country in the 21st century, we cannot get medical science to move forward.

The hon. Member for Calder Valley said earlier that we must listen to NICE. I wish that she would be kind enough to listen to me; I listened to quite a lot of her contribution to the debate. NICE can only work with the legislation that is set before it by the House. If NICE had a limit of 20 or 22 weeks to work with, I have no doubt that it would bring down its recommendations in order to conform with the House's legislation. NICE can only work within the framework of the laws that the House sets out. I would very much like to see NICE recommending much earlier results from scans.

I agree with the hon. Member for Crosby (Mrs. Curtis-Thomas) about the necessity for time to think. Indeed, I have voted for such provisions myself since I came to the House. She also made an important point about gentlemen who have vasectomies. I had a vasectomy on the national health. I went to see my GP, who said, "I want to speak to your wife." My wife and I both sat there and agreed that a vasectomy was the way forward for us as our own personal form of contraception. The GP then sent us away for three or four days, after which my wife and I both saw the consultant, and again we both agreed that a vasectomy was the way forward. I entirely agree with the hon. Lady that if that time for thought is right for a man having a vasectomy—which, by the way, can be reversed, albeit painfully—there must be a provision for more time to think and consult when it comes to such a serious decision as having an abortion.

I also agree with what my hon. Friend the Member for South Cambridgeshire (Mr. Lansley) said in his thoughtful speech on Second Reading last week. He rightly called for society to step forward and address its failings, particularly in relation to young people, to the poor, to those who have suffered a family breakdown, and to inadequate social support, especially in education. I am not just talking about sex education in schools. Education covers a wide variety of aspects, and it particularly needs to address the lack of knowledge about contraception, particularly in the most vulnerable and economically deprived areas of the country. I am not going to baffle the Committee with more figures—that is going to happen all through this debate—but the vast majority of people who end up having an abortion come from the most socially deprived parts of the country.

The hon. Member for Calder Valley said earlier that those who could afford to pay for an abortion would do so, and she was quite right. However, if we look at the figures, it is those who can least afford—*[Interruption.]*

The Second Deputy Chairman of Ways and Means (Sir Michael Lord): Order. It would be helpful if hon. Members could listen to this part of the debate.

Mike Penning: Thank you, Sir Michael. As this is such an important debate, I would have thought any meetings that needed to take place could take place outside the Chamber.

Sex education is extremely important, but my own daughters tell me that when they had sex education at school, it was useless. I served in the military at the age of 16, and when I meet servicemen and women around the country, they tell me that more sex education is being given to the troops of this country than ever has been to pupils in school. If we are more proactive about giving sex education to the military than to those in our schools and colleges, there is something missing here.

Mr. Cash: I very much agree with my hon. Friend about the need for education. Does he agree that, apart from any technical advice that might be offered, it is absolutely essential to get right the question of social responsibility in that educational process? The question of right and wrong, in relation to when sex should be engaged in and when it should not, is one of the main reasons why we are in such difficulty today.

Mike Penning: I completely agree with my hon. Friend; with the choice of whether to have sex with one's partner comes responsibility.

On the question of viability, we have heard a great deal about studies of the viability of the foetus—or the baby, in some hon. Members' terminology; I think that I agree with that terminology. If there were any doubt in my mind that a baby might be viable, I find it difficult to see how the Committee would not vote to lower the limit. Viability is everything. If even a single baby could live, with the help of modern medical science, that baby deserves the chance to live. That is where I, personally, am coming from this evening.

I have not taken up any time in the debate to talk about the individual contributions that have been made this evening. This is not a winding-up speech; it is a contribution. However, we have heard passionate speeches from those with deep-seated personal views, be they religious or non-religious, pro-life or pro-choice.

I leave the Committee not with the full text of what was sent to one of my hon. Friends this evening, but with a summary of it, which I do to protect the relevant consultant. This consultant e-mailed one of my colleagues this evening to say that in one room in the hospital where he worked they were successfully looking after premature babies of 23 and 24 weeks, who were going on to live normal lives.

Ms Angela C. Smith: Will the hon. Gentleman give way?

8.30 pm

Mike Penning: No. He continued by saying that in the next room, his colleagues were terminating babies of the same age.

Ms Angela C. Smith: Will the hon. Gentleman give way?

Mike Penning: No. This consultant said that that was morally unacceptable and asked us please to vote for 20 weeks. That is what I am going to do this evening.

Dawn Primarolo: This is a very important debate, even if I have expressed views outside the House and as an individual Member about what I think is the appropriate place for this discussion. I congratulate the hon. Member for Gainsborough (Mr. Leigh) on his opening remarks. I do not agree with him, but he made clear what is going on in this evening's debate.

There are those in the House who oppose abortion; there are those who oppose abortion, but who believe that in order to prevent it they should support a series of incremental reductions in what is currently available; and there are those who support abortion and seek to find a reference point or an anchor on which to decide the availability of abortions with reference to time limits and other criteria. Although I think it is very important for us to approach the issue from the position of our personal experiences as well, in my opinion it is dangerous to replace evidence by anecdotes and then move to general assertions about the best way to make informed decisions in this difficult debate.

One issue repeatedly cropping up this evening is that of the evidence for a reduction in the upper gestational limit for abortions of 24 weeks. We have heard and will continue to hear arguments ranging from maintaining the 24-week upper limit to various reductions. The hon.

[Dawn Primarolo]

Member for Gainsborough made it clear where he thought it should be, on the basis of his personal choice rather than evidence.

The upper gestational limit for termination of pregnancy under section 1(1)(a) of the Human Fertilisation and Embryology Act 1990 was set by Parliament at 24 weeks because the scientific evidence at the time was that the threshold of viability had increased and babies were increasingly surviving at 24 weeks and above. I make that point to make it clear that the upper gestational limit for abortions on ground (a) has always been linked to the potential viability of the foetus outside the womb.

Miss Widdecombe *rose—*

Dawn Primarolo: Just one moment. That was the case in 1967, it was the case in 1990, and it is certainly the case now. I am happy to give way to the right hon. Member for Maidstone and The Weald (Miss Widdecombe), who entered the House in the same year I did. In every debate on abortion, she has been clear that she is against it, just as I have been clear that I believe it is a woman's right to choose. I am happy to give way to her.

Miss Widdecombe: I am very grateful to the right hon. Lady. She has said that viability is the determining factor, but does she accept that there is a genuine debate as to whether that should be the only determining factor? Since 1990, there has been a very substantial body of evidence—and I do mean evidence—about foetal pain and distress. If the child being aborted cannot live, what on earth is the point of the lethal injection?

Dawn Primarolo: The right hon. Lady does not need to stress her words; I can understand the word "evidence" whether she says it slowly or quickly. My point was that on every occasion that the House has considered this issue, it has used viability, as determined by the evidence from the medical profession, in order to provide its starting point. I would absolutely agree with the right hon. Lady and other Members that this is a very difficult decision to make and that a series of points need to be considered. The right hon. Lady happens to come out in a different place in the argument from me.

Miss Widdecombe *rose—*

Mr. Charles Walker (Broxbourne) (Con) *rose—*

Dawn Primarolo: No; if I can make a little progress, I will give way if I have time later. I want to be brief so that other Members can speak.

My main point about the time limit is that in the late '80s there was a clear consensus from the medical profession that the age at which a foetus should be presumed to be viable should be changed from 28 to 24 weeks, and there is no evidence at the present time that that position has changed. In fact, the British Association of Perinatal Medicine, the British Medical Association, the Royal College of Nursing and the faculty for sexual and reproductive healthcare of the Royal College of Obstetricians and Gynaecologists all concur with that view.

The current clinical evidence shows that although there have been medical advances in caring for premature babies, only a small number of babies born at under 24 weeks' gestation can survive. For those that do, there may be many questions about their quality of life—most have severe problems—whereas the situation improves markedly at 24 to 25 weeks, which reaffirms why the limit of 24 weeks was chosen.

Mr. Walker: Does the right hon. Lady not accept that some children—not many, but some—born prematurely between 22 and 24 weeks go on to adulthood and have productive lives? They are living between 22 and 24 weeks.

Dawn Primarolo: That is not the issue that I was putting to the Committee.

Mr. Walker *rose—*

Dawn Primarolo: No, just a minute. I was making the point that nothing has changed over that time period. The difficult choices that the hon. Member for Broxbourne (Mr. Walker) and others have identified existed in 1990 and they exist now. We all know that the circumstances in which women have abortions are not easy; the decision is difficult, there are many complex reasons, but up until this evening the House has chosen to base its judgment on the evidence. We have heard mention of that evidence from the EPICure studies and, most recently, from the Trent regional study, which continues to demonstrate that despite improvements in some neonatal units, there is no improvement in the survival rates of those very young babies.

Reducing the current time limit would have a significant impact on a small number of women who seek late abortions. The Committee must face the fact that some of those women, if forced to give birth to unwanted children, will continue not to wish to do so. Having made that decision, they will travel abroad and seek abortions elsewhere. Would it not be appalling if we drove women back to where they were before the 1967 Act?

Pete Wishart: Will the Minister give way?

Dawn Primarolo: I will give way briefly, but then I must make progress.

Pete Wishart: I wonder whether the Minister has seen the results of a study by the British Pregnancy Advisory Service. It conducted an audit of women seeking late abortion services, and what it found was truly appalling. Its findings showed that it was the most vulnerable women—those who had been subject to domestic abuse, those who were teenagers, those who had all sorts of chaotic lifestyle and drug issues—who would be punished by any reduction in the time limit.

Dawn Primarolo: I have seen the results of that study, and I agree with what the hon. Gentleman has said.

This is the challenge that is presented to the Committee. If life were always only about simple choices and clear-cut decisions it would be so much easier, but we are talking about complex lives. I am thinking particularly of very vulnerable young women, or older women who, for a number of reasons, may not have discovered their pregnancy. I am also thinking about foetal abnormality. Does the Committee really believe that it should remove consideration of those few but none the less vulnerable women as individuals without the support of evidence? Of course, for Members who are completely opposed to abortion the answer is yes, they would take those rights away, but I think that that would be a retrograde step.

Mr. Willis: Will the Minister give way?

Dawn Primarolo: I will give way to the hon. Gentleman, but then I really must make some progress.

Mr. Willis: I am grateful to the Minister. Is it not worth putting on record the fact that only roughly 1 per cent. of babies born to mums who go into labour at 22 weeks are born alive and leave the maternity unit, and that half those babies have severe abnormalities? Moreover, people presenting for abortion at 22 or 23 weeks would have had to be in the system at least two weeks earlier, which means that they are probably presenting to the clinicians at 20 or 21 weeks.

Dawn Primarolo: As the hon. Gentleman has put the figures on the record, I shall not waste the Committee's time by repeating them, but he went on to make a very important point about the complex reasons for which some women may present late after deciding on an abortion. They may have struggled greatly with that decision.

I do not accept the idea that women do this lightly. I cannot believe that I heard it said it was like going to the hairdresser. I cannot believe that women would make the decision in that way. I know that they do not. *[Interruption.]* I am not arguing with those who are absolutely opposed to abortion. They will put their case here tonight. I am addressing only the case which I have made clear that I support—

Miss Widdecombe: On a point of order, Sir Michael. Is it in order for a Member, even a Minister, to misrepresent deeply something said during the debate by a Member who is not here to correct what has been said?

The Second Deputy Chairman: I think that these are basically matters for debate, not matters for the Chair. I also think that all Members must take serious responsibility for the words that they use.

Dawn Primarolo: Thank you, Sir Michael.

Mrs. Iris Robinson: On a point of order, Sir Michael. Is it right for the Minister to indicate that she will not hear anyone who takes a view that is opposed to that of those who oppose the right to life?

The Second Deputy Chairman: These are very serious matters. Clearly, it is entirely up to the Member who has the Floor to decide whether to give way to any other Member. *[Interruption.]* I repeat that that these are very serious matters. The debate has been civilised and organised until now, but I think that all Members should choose their words very carefully.

Dawn Primarolo: Thank you, Sir Michael.

Mrs. Robinson *rose—*

Dawn Primarolo: I will give way to the hon. Lady, but let me say first, Sir Michael, that I was following your suggestion that our contributions should be short so that others could join in the debate. Continuing to take interventions will prolong my speech, but I am happy—as I have been in previous debates—to take an intervention from the hon. Member for Strangford (Mrs. Robinson).

Mrs. Robinson: I thank the Minister. May I suggest that she visit a special needs school in her constituency, where she can see some beautiful and wonderful children with Down's syndrome and other "special needs" disabilities? Is she telling us that it is right to decide, just because there is some abnormality in the foetus, that that eliminates a child's right to life?

8.45pm

Dawn Primarolo: I did not say that, I would not say that, and the hon. Lady is trying to put words into my mouth that conform with what she thinks the argument should be. The point I am making is that there is no scientific evidence to warrant a reduction in the time limit. Of course it will be up to the House to decide, after examining the evidence, whether it feels there is a strong case for that and it is necessary. My point is that the evidence does not support that, even if some Members feel that they personally should vote for a reduction.

Mark Durkan: The right hon. Lady has placed a lot of emphasis on the viability test having been the basis on which the House has in the past decided on term limits, as though for anybody to think about any other reference point is somehow beyond the law and subversive, but will she answer the question that I think the hon. Member for Strangford (Mrs. Robinson) was asking: why does the viability test go out of the window for foetuses that are deemed to have a foetal abnormality? Why do the viability test and the term limit go out of the window for them, so that there can be terminations up to the point of birth?

Dawn Primarolo: Because the 1967 Act, as amended, provided for that, and I am making my comments only with regard to the legislation as it currently operates and whether or not there is any indication that there should be a change in the criteria.

New clause 6 seeks to remove disability as a ground for abortion and to extend the excluded grounds to include gender, race and sexuality. If that ground is repealed, those women carrying a child with a serious handicap may be forced against their wishes to continue with the pregnancy. In some cases, that will increase the risk to the woman as well. We must remember that we are talking here about very serious handicaps, such as the absence of a large part of the brain. Is it right to force a woman to carry such a child until it dies in the womb or is born with no chance of survival? That is the kind of very difficult question that we need to confront this evening.

Mr. Burrowes: Will the right hon. Lady give way?

Dawn Primarolo: With respect, I have given way quite a lot, and I need to conclude my points.

I shall now turn to the measure preventing abortion on the grounds of gender, race or sexual orientation. That is unnecessary, as abortion on the grounds of gender alone is already illegal and it is not possible to determine the race or sexual orientation of a foetus.

New clause 7 seeks to require doctors to provide set information to women and introduce a five-day waiting period. The fact is that every woman's circumstances and level of understanding are different, and the information and support provided should be impartial and tailored to the woman's individual needs. I think the Committee would agree that forcing a very young girl whose pregnancy is due to sexual abuse to receive information on the development of the foetus—which the doctor would be legally obliged to do if this amendment were accepted—would be very distressing and, to many of us, unacceptable. This new clause would also effectively introduce a five-day waiting period, which would affect over 98 per cent. of women, causing further delays and unwanted stress and anxiety.

As has been mentioned, new clause 8 would require that information and counselling be available, but that is required now. The professional regulatory bodies lay down statutory guidance to health professionals on what information should be provided so that the woman is properly informed.

Tonight every Member present has to make a series of difficult and complex decisions on highly sensitive issues, and I recognise how challenging that is for all of us, including me. In reaching a decision, it seems to me that each Member must assess the evidence that has been presented and vote accordingly. However, in doing so, first, they must be satisfied that the scientific evidence has changed, and we have heard that the consensus regarding medical evidence has not changed: there is no new evidence. Any reduction in the time limit will have a greater impact on teenagers and the very vulnerable who do not recognise their pregnancy, giving them untold additional anxiety and challenges. The Committee has the right, of course, to do this, but in doing so it must ask itself, "Is there any real evidence for a change, or is it just that Members of the House are against abortion?"

Dr. Pugh: I want to make it clear, as my hon. Friend the Member for Oxford, West and Abingdon (Dr. Harris) did, that I stand here as a Liberal Democrat but not for the Liberal Democrats; I speak in a personal capacity. Although there is policy here, and although a former leader of the Liberals, Lord Steel, piloted the Abortion Act, the Committee will be aware that other prominent Liberals, such as Lord Alton, left the Liberal party over the Act. I personally believe that there is a Liberal case to be put for a review of current legislation. I should also point out that as a man, I necessarily speak on this issue with a degree of natural caution and reticence. I can have no clear idea at all what it is like to be pregnant.

The most depressing thing that I read recently on this topic was in yesterday's edition of *The Guardian*. The usually sound journalist, Jackie Ashley, after contrasting opposing views and the very different beliefs behind them, wrote:

> "There is no sensible conversation between the opposing views to be had."

That is borne out by my own observation of the House so far in debating any abortion issue. Such debates are emotive; related ten-minute Bills, unusually, are voted down without consideration; slogans replace arguments; the absolute right to life is starkly set against the absolute right to choose; rhetorical assassination replaces reasoned arguments. It is to be regretted that in the run-up to this debate, personal remarks by Members about Members have served to disfigure and to some extent to inflame debate.

Despite profound moral differences, there is some common ground: we all believe that the abortion rate in the UK is far too high; we would all prefer a world in which there was no abortion, nor demand for it; we all recognise that our laws are among the most permissive; and we all qualify the rights that we claim: even the Catholic Church sanctions therapeutic abortion, and even pro-choice charities object to some choices. Where we differ is over the grounds, and consequently the limits, of abortion. I argue that, irrespective of any religious view, the justification for abortion becomes enormously harder from the moment when the foetus becomes conscious or responsive to pain. I also argue that we cannot be completely certain when that moment occurs, but that a precautionary principle should apply, and, where consciousness may exist, we must act as though it does. Frankly, there is no basis for giving anything a right other than that it is conscious, and there is no more significant event in the life of any being than becoming conscious.

I note, too, the long and undistinguished history of denying full consciousness, or degrees of sentience, to those whom we choose to exploit, whether it is animals, fellow primates—or slaves. I accept, however, that the area of foetal sentience is a grey one and that the Committee, sadly, does not want to build the law around it or to apply a precautionary principle. The issue for the Committee is independent viability.

My hon. Friend the Member for Oxford, West and Abingdon has made the point that breaking the link between viability and abortion limits would leave legislators groping around for another criterion on which to base limits. He is fundamentally right on that point, although viability is not to be understood here in the ordinary sense. Most babies, and some adults, are not capable of surviving without massive intervention from parents or carers. They are not independently viable. My one-year-old grandchild is not independently viable. Viability here is used in the technical sense:

> "the capacity of the foetus to survive—even with assistance—outside the womb."

Everyone agrees that such a definition self-evidently must cover different cases as medical technology improves, and need not be related—should not be related—to a fixed gestation period, which is why few rational people can object to a review of the law.

Some people think that the dates should be changed, if some foetuses are viable at a given date, for example, 23 weeks; we are talking about a significant percentage in that regard. Some think that the dates should be changed if any foetuses are viable at a given date, and others, including, I believe, my hon. Friend the Member for Oxford, West and Abingdon, think that the dates should be changed if most or the gross average of foetuses are viable. People choose their own option, but anyone who thinks that the dates should be changed if, and only if, foetuses show themselves to be viable on average at a particular stage must also bear in mind the fact that the foetuses that nature delivers early—the research group that we have all been talking about—are most likely to have had clinically troubled pregnancies and individual problems, which is not the case with aborted babies or babies in general at that stage.

Dr. Harris: My hon. Friend is making a thoughtful speech. The vast majority of premature births are due to maternal factors, not to foetal factors; the foetuses are not sick in those cases. Different definitions of viability exist, and mine might be different from others, but surely it is best to follow the one provided by paediatricians and neonatologists, who devote their lives to dealing with those tiny babies. They are clear about their definition, which is that the viability threshold is the point at which a foetus would have a decent chance—a more than 15 per cent. chance, for example—of surviving outside the woman. That is why they say that there is no evidence of a significant improvement in the survival levels of pre-term infants below 24 weeks' gestation in the past 18 years. The paediatricians say that, and we should follow their advice.

Dr. Pugh: I have discussed clinically troubled pregnancies, and I presume that that covers the maternal factor. I see no reason why the Committee must use the same definition as clinicians.

The moral reality is that someone who aborts a baby at 22 weeks, might be—they cannot know that this is not the case—aborting a baby or foetus that is viable, within the narrow meaning of the legislation, which is indisputably the case, or in any other sense. There are people in our world who are in no way inferior to us in capacity, intelligence and beauty, despite being born at 22 weeks. That is a fact, and it ought to give us cause for reflection.

Quantitatively, as the EPICure 2 study shows—the Minister and I saw the draft findings last week—there is a statistically significant increase in the survival rate of premature babies at 24 weeks and an increase, although not a statistically significant one, in respect of 23 weeks. We need to explore further exactly why that is happening. It is false to say that no new evidence is available. EPICure 2 differs markedly from the Trent study; it is more widely based and it shows something different. I freely admit that the EPICure 2 study does not show a decrease in the level of disabilities that, sadly, premature babies endure. However, morality in this case is not a numbers game; the exact percentage surviving is not the big issue. One cannot easily argue on Monday that the percentage mix of a human-animal embryo is of no decisive moral significance, and then on Tuesday argue that percentages matter.

May I conclude by addressing three counter-arguments? I sense—this came across in what the Minister said—that many who are opposed to even modest reform feel obliged to hold an imaginary line; they feel that if they concede 23 weeks or 22 weeks, who knows where the case for abortion may go. The Minister said that we could be right back at the pre-1967 situation. Again, that is the mirror image of the slippery slope argument that we had yesterday: if we allow pointless experiments to be carried out on hybrid embryos until 14 days, some scientists will make progress in creating human-animal embryos. As in yesterday's case, all one can say is that the law says what the law says. It clearly does not follow from the fact that the law forbids something at 25 weeks that it is bound to forbid it at 23, 22 or 20 weeks. If it forbids something at 22 weeks, it might still allow it to happen at 20 weeks.

Another argument was made on Second Reading by the hon. Member for Beckenham (Mrs. Lait), and I take it very seriously. She argued that many, but by no means all, late abortions are special cases; I believe that she mentioned under-age girls, menopausal women and foetuses with late-detected abnormalities. I think that the statistics show that 40 per cent. of such cases result, in a sense, from late choices. That is what is odd about them; they involve people who made a late choice to have an abortion.

Mrs. Lait: The hon. Gentleman has paraphrased the list that I suggested on Second Reading, because it included women who were menopausal, very young girls and those who have mental health or learning disability problems. I think that he agrees that all those people are very vulnerable.

9 pm

Dr. Pugh: I do not dispute that, but one can always have exceptions to legislation. We have always set a limit for exceptions, and that is not an argument against a general lowering of the point of termination.

Finally, I was genuinely shocked by a disgraceful argument in the briefing note circulated by the British Pregnancy Advisory Society. As an argument for no reduction in the time, the letter sent to Members stated that

> "the special care baby units would be over stretched trying to care for the premature babies to the detriment of care for those born a couple of weeks later".

If we set aside the obvious fact that non-aborted foetuses do not end up on life support machines, it is unacceptable to make our decisions on life and death depending on current funding arrangements in the NHS. That illustrates what I said earlier. To some extent, the special pleading is characteristic of a closed mind. If minds are closed, we will have the usual tribal stand-off. If they are not, we may yet have some useful legislation.

Judy Mallaber: Like others, I regret that this debate has been tagged on to the important and complex debates on updating the regulatory framework for scientific research. In those debates over the past two days, I have sought to follow the science, and I wish to do so tonight, too. As we have heard and would expect, however, the issues have a highly emotional impact and reflect different ethical and religious views.

Many of those who have tabled amendments to cut the time limit hold strong views that the foetus is a person and any abortion is wrong. However, even within the Catholic Church, there are different opinions, as has been mentioned. The theological debate can be traced back over the centuries to St. Thomas Aquinas, and

[Judy Mallaber]

Catholics for Choice have sent hon. Members the results of the latest poll of UK faith groups, showing that the majority of UK Catholics and Protestants support a woman's right to have an abortion when she has an unwanted pregnancy. As Catholics for Choice has said, Church teaching is neither definitive nor final on this subject.

The hon. Member for Hemel Hempstead (Mike Penning) pointed out that this is not just about religion. Many hon. Members have strongly held views based on a range of arguments for cutting the limit. All too often, however, the woman is left out of this discussion, and she becomes invisible. Women have different moral views on whether abortion is acceptable and in which circumstances. I respect those views, and I also know that I am highly unlikely to change the views of those who do not agree with me, so I have to respect those views.

Mrs. Iris Robinson: Will the hon. Lady give way?

Judy Mallaber: If I may finish this part of my argument, I shall allow the hon. Lady to intervene later.

We know that women do not have abortions lightly. It is always a difficult decision. I have one set of views that leads me to think that we should retain the current 24-week limit, but I would never dream of saying to another woman that she should have an abortion, if she felt that that was wrong. I respect her moral views, and all I ask is that the same respect be shown to those who take a different view. Parliamentarians should not say to a woman who does not think that abortion is wrong that their views should prevail over hers. We will not convince each other, and if moral views are so divided, we should not seek to impose our views on each other. We also take different views on several of the practical issues, and we will not convince each other. Neither side should seek to impose its moral and practical views on those who take a different view faced with a decision that will affect their personal circumstances.

Mr. Cash: Will the hon. Lady explain why more than half the doctors in the NHS refuse to carry out late abortions and 67 per cent. of abortions are carried out in private clinics, albeit under NHS contracts? Is it because those doctors find it repugnant?

Judy Mallaber: I am afraid that that is not relevant to my argument, which is that different views can be put forward. I do not think that the hon. Gentleman should impose his views on a woman who has a different set of views. That is the main point of my argument.

Mrs. Iris Robinson *rose—*

Mr. Angus MacNeil (Na h-Eileanan an Iar) (SNP) *rose—*

Judy Mallaber: May I finish my arguments? Otherwise, others will not get the chance to contribute to the debate.

Earlier today, I took part in a debate for Central TV with one of the hon. Members who has put their name to the amendment on the 16-week limit. Such reductions would lead not to an end to abortions, but to a return to backstreet abortions. *[Interruption.]* It is no good saying no. That is exactly what was said in the debate in which I took part earlier. I was told that we would not see a return to backstreet abortions. I cannot understand on what basis Members would say that. Some Members will have seen the film "Vera Drake", and although she might update her clothes from the 1950s to the 21st century, there will be an increase in the number of illegal abortions.

David Taylor: This is the second occasion during this debate when an assertion has been made that lowering the limit will necessarily drive up the number of illegal abortions. Will my hon. Friend tell the Committee whether similar suggestions were made during the 1990 debate on the reduction of the limit from 28 weeks to 24 weeks? Will she also tell us whether there has been an increased number of illegal abortions? There is no evidence of the second.

Judy Mallaber: A different set of arguments can probably be made about the relationship between the 24-week period and the 28-week period, because of the kind of abortions that would have to take place at that stage and the question of whether they could be carried out on the backstreets. It was odd for the person with whom I was debating the subject of reducing the limit to 16 weeks to say that that would not lead to women trying to find a way to terminate a pregnancy that they felt unable to go through.

Several hon. Members *rose—*

Judy Mallaber: I intend to proceed, rather than carry on with that discussion. I do not believe that hon. Members who hold views that are opposite to mine can find an argument that will justify the statement that there would not be an increase in the number of women seeking abortions.

Miss Widdecombe: As that argument has always been made, studies and evidence were sought. In the 10 years before the passing of the 1967 Act—these are Government figures, not mine—the number of abortions carried out in the backstreets that resulted in injury or admission to hospital declined at the same rate as it did in the 10 years following the Act. In other words, the 1967 Act was not a panacea that cured backstreet abortions, which were already declining because of greater education and health advice.

Judy Mallaber: I do not know the exact figures, but I have no problems with that argument. Of course, many of us—not everybody, as some of those who oppose abortion on religious grounds also oppose the use of contraception—would seek to improve sex education, relationships education and contraception. There is no debate about that. If that led to a fall in backstreet abortions, it would be a good thing. That is the path that we all want to go down. We do not want women to feel that they need to have abortions. It is impossible for those people who are proposing the 16-week, 12-week and 20-week limits to deny that that would lead women who are feeling desperate to seek an abortion that would inevitably damage their health and lead to some of the misery that we have seen in the past.

I am also concerned by the attempts to reduce the time limit as part of a demonstration of how to deal with the mythical broken society. I believe that putting women through the misery of having to look for backstreet abortions, having to seek illegal abortions or being forced to carry on through pregnancy and birth would increase the broken society, if that is really what we are talking about.

Dr. Palmer: Will my hon. Friend give way?

Judy Mallaber: I want to make progress, because I am conscious that a number of hon. Members want to speak, including my hon. Friend, and that I would be depriving them of time. He might get in, if he does not intervene now.

As has been noted, some hon. Members are talking not only about the 16-week limit that I discussed earlier but about what is said to be a more modest reduction to 20 or 22 weeks. There has been a lot of debate, which I will not repeat, about how all the medical and scientific organisations concerned with the issue and the Science and Technology Committee accept that there has not been a substantial change in the viability limit.

Earlier today, I listened to the initial results from the second EPICure study—we have already had the Trent study and the first EPICure study—and it is probable that we have reached the limit of possible technical advance. That limit is due to how the foetus develops, and the lack of brain and lung capacity in the period just before 24 weeks.

My right hon. Friend the Minister spoke earlier about what happened in 1990, when we moved from 28 to 24 weeks. That change was seen as an attempt to keep the time limit for abortions consistent with what was then regarded as the scientific viability level. That is where the science leads us at present. Of course, I do not deny that it is possible to break that link, even though to do so would go against what all the medical and scientific organisations—doctors and others—are urging. However, a reduction to 20 or 22 weeks would not reduce the number of abortions. Those who want to use a reduction in the limit to that end will not achieve a substantial cut in the number of abortions, but if they get their way, they will bring misery to a small number of women who, as has been noted, are often among the most vulnerable.

A point that has not been made so far in the debate is that, perversely, a reduction in the time limit could lead to an increase in abortions. The problem of foetal abnormalities needs to be considered and, no matter what the hon. Member for Hemel Hempstead (Mike Penning) may claim, my understanding of what the scientists say is that it will not be possible to get tests for all foetal abnormalities at an earlier stage. I am not a scientist, but that is what I understand.

As a result, women who do not learn about abnormalities in the foetus until a late stage and only realise then that they may need an abortion—or who may have presented late, or who did not know that they were pregnant, and so on—may be panicked into getting an abortion when, if they had had a few more weeks to consider, they might have taken the pregnancy to term. If the limit is reduced to a point that is too early—that is, to only just after the time when the possibility of an abortion has been discussed—the perverse effect may be that women end up having more abortions, because it is something that needs time for consideration.

I was at a briefing with the British Medical Association earlier today. We heard from the charity Antenatal Results and Choices, which helps support women whose foetuses have abnormalities. As has been discussed already, current legislation means that it should still be possible for such women to have an abortion at any time, regardless of the limit. The charity said that the 24-week limit is the line in the sand for many doctors, and I do not dispute their right to take that view, but women who are not diagnosed until late may not get the further tests that a final diagnosis requires. As a result, because they fear that they might lose the chance, they may be panicked into having an abortion that they might not otherwise have.

There has been some discussion about the sort of women who end up having late abortions. Here is one example:

> "I was 19, my father had died and I was looking after my 8 siblings with my mother who could barely afford to keep us. I couldn't face telling my mum about my pregnancy—things were so difficult. If I couldn't have an abortion I'd have killed myself. Now I've been able to go to college, learn to read and write, play a full role in society and bring up a family of my own."

Another women says:

> "I had been taking the pill. When I had a missed period, I went straight to my doctor for a pregnancy test. It came back negative. I was still missing periods. I returned to my doctor who said I had nothing to worry about. A short while later I met someone who had had a child after finding out too late that she was pregnant to have an abortion. I did another test, which came back positive. It took a further two and half weeks before I could have an abortion. It was the right thing for me—I have never regretted it."

Those are two examples of late abortions that would be ruled out by those people who feel, "Yes, going to 16 weeks or 12 weeks is too far for me, but a moderate reduction would not have a terrible effect." It would; it would cause misery for a small number of women.

Sandra Osborne: Does my hon. Friend agree that the use of the term "abortion for social reasons" can be very unhelpful, in suggesting that women have late abortions for reasons of pure convenience, whereas we know that there are tragic causes that relate to domestic violence and the examples that she has given, which are nothing at all to do with mere inconvenience?

9.15 pm

Judy Mallaber: I agree with that. At the BMA meeting, Dr. Chisholm talked about his first week as a GP, when he went to a farming family who only realised that their daughter was pregnant at the point at which she went into labour. That shows how there can be complete denial and many situations in which people are not aware that they are pregnant or in which they are in such shock that they go into denial and end up seeking abortions late. We must think of those circumstances.

[Judy Mallaber]

At the BMA meeting earlier today, Dr. Kate Peterson—a GP—made the point that, when talking to someone who is seeking a late abortion or is not sure what to do, there are many complex circumstances that need to be talked through. She appealed to us not to take away the ability to have that serious discussion and talk through the possibilities with the woman concerned, and she said that that would be taken away if the woman was forced into a speedy decision by a reduction in the time limit.

Martin Horwood (Cheltenham) (LD): The hon. Lady is making a powerful social case—I do not apologise for using that term—against reducing the limit, but does she accept that even those of us who might not have had any problem yesterday in voting to defend stem cell research, because we do not regard a small collection of cells as a person, nevertheless have a moral question to answer about when personhood emerges and when the legitimate rights of the woman that she has described must be nevertheless balanced with the rights of a second moral presence? We must wrestle today with that question, which she is not really addressing.

Judy Mallaber: That brings me back to my first argument. I will not convince the hon. Gentleman; he will not convince me. *[Interruption.]* Women consider those two different sets of arguments as well. It is wrong to impose a different set of moral views on a woman who does not take the moral view that abortion is wrong or that it is wrong in those circumstances. We will not convince each other, but I would not dream of telling a woman who was strongly opposed that she should have an abortion, and the same respect should be held the other way around.

Lynne Jones: Will my hon. Friend give way?

Judy Mallaber: No, I will not give way, because we have very little time left and a number of hon. Members still wish to speak, including those who take a different view from mine, and I respect their right to express their views. *[Interruption.]* If I let in an hon. Member because she is regarded as supporting my views, I would be criticised for not letting in others who take a different view. So I shall come to a conclusion.

I dread the idea that we might go backwards, and I dread the idea that we might force women against their moral views and against what they feel is right for them into a position where they are forced to go through pregnancy and to bear a child in a situation in which they might feel desperate. Of course we all want to cut the number of abortions, and we want to do so through better advice, better contraception and all the things that we can do to prevent abortions, but there will be circumstances in which women feel the need to go through that, and I appeal to the Committee not to make it difficult for them and not to put them into the terrible position of having to make that choice and of having to go through unwanted pregnancy, birth and the terrible decision of whether or not to keep the child that they have borne unwillingly.

Mrs. Nadine Dorries (Mid-Bedfordshire) (Con): There are two points that I would like to clear up before I embark on my speech. The first is on the issue of disability, which has been deliberately clouded tonight. My new clause 5, which would introduce a 20-week limit under section 1(1)(a) of the Abortion Act 1967, relates to social terminations. If my new clause, and the 20-week limit, were agreed to tonight, and any woman found, at a 20-week or 21-week scan, that there were abnormalities, she would be able to abort up until birth under the Act. That will not change at all if my new clause is agreed to. I am surprised at the hon. Member for Calder Valley (Chris McCafferty), who muddied the waters slightly. My new clause refers only to social terminations in healthy circumstances.

Patrick Hall (Bedford) (Lab): Will the hon. Lady give way?

Mark Pritchard: She's only just started—give her a chance!

Patrick Hall: So what?

Mrs. Dorries: Well, I definitely will not give way now. Let me give some further figures on the disability issue. In 2006, some 2,860 terminations took place between 20 and 24 weeks. One in five of them—567—took place because of a disability. That situation would not be affected at all by my new clause; those mothers would still be able to abort.

I should like to make my personal position clear, because it has been misrepresented in the past few days. I am pro-choice. I support a woman's right to abortion—to faster, safer and quicker abortion than is available at the moment, particularly in the first trimester. That is my position.

Dawn Primarolo: I am grateful to the hon. Lady for saying that she supports abortion. She will agree that it is a good point that 89 per cent. of abortions are conducted in the first 13 weeks, so her case about getting more done does not really stand up.

Mrs. Dorries: As I have found from my research, one of the main problems is that many young women who present at a hospital or at a doctor's are made to wait two to four weeks before a termination. I want to make my position clear: I am not against abortion per se. Actually, I would go further: I would like the morning-after pill to be available from every school nurse and in every supermarket pharmacy—and it should be free for young girls, and not £25 at the chemist's, as it is at the moment. *[Interruption.]* I can imagine the discussions that are taking place.

Now may I get to the substantive part of my speech? I first became concerned about and interested in the issue of abortion when I worked as a nurse. I worked for nine months on a gynaecology ward, and assisted in many terminations and late terminations. I also went to witness a late surgical abortion six weeks ago. I became interested in abortion when it became apparent to me, as a nurse, that far more botched late abortions were taking place than should. The first one that I witnessed was a prostaglandin termination. A little boy was aborted into a cardboard bedpan, which was thrust into my arms. When I looked into the cardboard bedpan, the little boy was gasping for breath through the mucus and amniotic fluid. I stood by the sluice with him in my arms, in the bedpan, for seven minutes while he gasped for breath. A botched abortion became a live birth, and then, seven minutes later, a death. I knew when I stood with that little boy in my arms that one day I would have the opportunity to defend babies such as him. I thought that we committed murder that day. I cannot think of another word for a nurse or doctor present at the birth not attempting to resuscitate a baby who was an abortion but became a live birth.

The Royal College of Obstetricians and Gynaecologists then dealt with the issue, because a number of botched abortions were happening across the country. The RCOG produced guidelines setting out a new way to abort babies from 19 weeks onwards. A number of people have talked about the method. I witnessed a late surgical abortion six weeks ago—

Dawn Primarolo: Where?

Mrs. Dorries: I am not going to reveal that to the Minister. I think that people need to know this: the baby was given a lethal injection of potassium through the mother's abdominal wall, into the baby's heart. The process was supervised by an ultrasound scanner, so that the doctor could see exactly where the needle was going—into the foetal heart. The baby died and 24 hours later went through the process of surgical dismemberment and removal. It was just as my hon. Friend the Member for The Wrekin (Mark Pritchard) described. It is the most dramatic experience to watch. The baby was dismembered and put in a plastic bucket.

I hope such an operation is filmed one day and shown on television. The facts have been kept from the general public for too long. Since I had an article published in a newspaper recently, more than 1,000 people have e-mailed and written to me. They had no idea that that was the procedure that took place.

If babies do not live below 24 weeks, one must ask why the Royal College of Obstetricians and Gynaecologists provides guidelines to guarantee that they do not. Do they live or not? If they do not, why do we go through that horrific process?

Dr. Evan Harris: Does the hon. Lady want the answer?

Mrs. Dorries: Professor Anand—[HON. MEMBERS: "No. Press on."]—Professor Anand, who is the world—*[Interruption.]*

The Second Deputy Chairman: Order. These are extremely emotive issues, but I hope the House can continue in the vein that has characterised most of the debate, and listen to the views of each hon. Member.

Mrs. Dorries: I shall give way once to the hon. Member for Oxford, West and Abingdon (Dr. Harris).

Dr. Harris: What the hon. Lady described on her blog as an injection of vitamin K, rather than potassium, which was curious, is exactly the way of ensuring that the baby comes out normally, through expulsion rather than dilatation and curettage, as she describes. However, the procedure that she has just described is also the way that intrauterine deaths, which tragically occur and which are not abortions, are dealt with. So she has not revealed a sudden discovery. It was precisely to avoid the distressing sight, for some people, of abortions being born alive, which are bound to die because they are not viable, that that procedure was carried out. There is universal medical consensus on it.

Mrs. Dorries: First, I am very aware of the difference between potassium chloride and vitamin K, and I have never written the words "vitamin K" on my blog. I defy anyone to go, right now, and find that. It does not exist.

Secondly, there is a big difference between a wanted birth which dies in utero and an aborted birth. The RCOG produced the guidelines for abortion. There has been much discussion this evening about whether women have rights. Of course they do. However, in a pregnancy there comes a point when a baby may have a chance of viability. I shall give some evidential figures on viability.

We have heard much of the EPICure 2 study and the Trent study. Professor Field, who is the author of the Trent study, said on the "Today" programme this morning that he is not sure that we should be using viability as a marker, and neither am I.

Mr. Slaughter: Will the hon. Lady give way?

Hon. Members: No. Sit down.

Mrs. Dorries: The analysis of viability of premature births happens for a reason. Premature births may occur because those babies are poorly, or the uterine environment is unwelcoming, but that is very different from aborted babies, the majority of whom would be healthy, as are normal births. Unless we ask 1,000 women to abort at 23 weeks of pregnancy so that we can see what happens to healthy babies when they are aborted, we cannot use the argument of viability. But the limit was set at 24 weeks.

Between 1980 and 1985 at University College hospital, no babies survived at 22 or 23 weeks. Between 1996 and 2000, 50 per cent. of babies born at 22 and 23 weeks survived. BLISS, the neonatal children's charity, says that more information is needed about the neonatal services that are provided in this country and at what gestation babies do well. If there were dedicated transport so that babies born early could get to a neonatal unit quickly and receive treatment, there would be a rise in the figures, as there has been in Sweden and in hospitals with good neonatal units on site.

If more neonatal units did not close their doors 52 times a year, as every one in this country did last year, and if a baby could be transferred to a neonatal unit within minutes—instead of hours—of birth, we would see a big difference. We see a difference in hospitals with good specialist teams in their neonatal units. The survival figures are very different. Granted, in the EPICure 2 and Trent studies the figures were averaged out, so that every birth was brought into the figures. However, for hospitals with good neonatal units attached to them, such as University College hospital, the figures are very different.

[Mrs. Dorries]

As I said, I believe that the woman has rights, but the baby has them also. I think that the baby's rights kick in if it would have the chance of life if it were born and if it feels pain as part of the abortion procedure. At that point, the baby's rights have parity with those of the mother.

9.30 pm

We have quoted Vincent Argent a few times this evening. He was the previous medical director of the British Pregnancy Advisory Service and wrote an incredibly good article this week. He talked about when women go to him for a late termination. He described how women who have been on IVF programmes ask him for a termination because they are expecting twins and would like one to be aborted. Some women go to him wanting a late termination with no good reason—they just demand a termination.

I was on "The Daily Politics" with the Minister at lunchtime today; it featured an example of someone who had had a late termination at 22 weeks because she felt that it was not the right time in her life. There comes a point when it has to be said that the baby also has a right to life.

I would like to talk about the various institutions because I know that many Members think that they have held on to what the British Medical Association, the Royal College of Nursing and faculties of neonatal medicine have said. First, I would like to talk about the Royal College of Nursing, of which I used to be a member. The RCN has taken the position of supporting the 24-week limit, but has not consulted its members. Two weeks ago I addressed a meeting of nurses, two thirds of whom were members of other health workers' unions; they were not even members of the RCN. They were angry that the college was purporting to speak on their behalf, given that they were not even members of it. The nurses who were RCN members were very angry that it was taking a position without even having consulted them to find out their opinion. Given today's technology, there is no excuse for doing that; members could be e-mailed and canvassed for their opinions very easily.

The British Medical Association is hugely influenced by its ethics committee, on which the hon. Member for Oxford, West and Abingdon sits. The association is definitely not representative of doctors' grass-roots opinion, which has been demonstrated today in a poll by Doctors.net.uk. Some 31 per cent. of the doctors polled want a 24-week limit, 15 per cent. want a 22-week limit and 54 per cent. want a 20-week limit.

Dawn Primarolo *rose—*

Mrs. Dorries: Overall, 69 per cent. of those doctors want the limit to be reduced.

Dawn Primarolo *rose—*

Mrs. Dorries: Marie Stopes—*[Interruption.]*

The Chairman of Ways and Means (Sir Alan Haselhurst): Order. I am sorry to interrupt the hon. Lady, but the Committee must come to order. It is entirely up to the hon. Member who has the floor whether he or she gives way. The fact is that we should allow whoever is on their feet to be heard.

Mrs. Dorries: In October 2007, Marie Stopes, one of the charities that carries out late abortions, did a poll of GPs.

Dawn Primarolo: I am grateful to the hon. Lady for giving way. She referred to a survey of 210 doctors by a subscription site that has more than 9,000 members—I cannot remember the exact figure, but that might have been it. There are 40,000-odd GPs in the health service, so her percentage is not very accurate.

Mrs. Dorries: That is fine—let us talk about the Marie Stopes survey of October last year. Marie Stopes is a charity that carries out a high percentage of late terminations. Its survey of GPs—I would imagine of all GPs—shows that two thirds of GPs want a reduction from 24 weeks.

During the previous debate, someone mentioned the faculty of sexual and reproductive healthcare of the Royal College of Obstetricians and Gynaecologists. The medical director of that organisation, in a television interview last year, said that she did not perform terminations over 16 weeks because it was too much like a baby. That organisation has been cited as supporting 24 weeks. It is a fact that doctors do not like to perform late abortions. In the NHS, hardly any abortions over 16 weeks take place. We have a Government policy of 24 weeks, and an NHS that does not want to carry that policy out. We have a private abortion industry that has mushroomed around the NHS in order to carry out late terminations that doctors and nurses in the NHS do not want to do.

We have to ask ourselves this question: if we have a policy that states that we abort to 24 weeks, should we not be carrying out those operations in the NHS? Should we be encouraging a private industry to develop around it to carry out those abortions? Is that right? Is that what we should be doing? I do not think that any doctors train as doctors to end life. Most doctors and nurses train to save life and that is why, particularly now that doctors sub-specialise—doctors do not train in the way that they used to; they do not spend a long time in obs and gyny any more, but specialise very early—we are running out of doctors to perform late terminations in this country.

I have covered the issues that I want to deal with. I would like to finish on public opinion and public mood. Over the past six months or so, we have seen a huge swing in public opinion on this issue. The YouGov poll, the ComRes poll and others have shown, because the public are—

Dr. Gibson: Will the hon. Lady give way?

Mrs. Dorries: I will.

Dr. Gibson: Where does the hon. Lady get the evidence that we are running out of doctors?

Mrs. Dorries: We are running out of doctors who want to perform late terminations: the majority of doctors who work in the BPAS and Marie Stopes clinics are coming in from abroad on six-month contracts. There are very few UK graduates performing late terminations in BPAS or Marie Stopes clinics —*[Interruption.]* There are only two, apparently.

Public opinion has changed, which has a huge amount to do with the work of Professor Stuart Campbell in 3D imagery. Pregnant women have always wished that they had a window on their stomachs so that they could see what their baby looked like and what their baby was doing. Professor Campbell has provided that window. We can now see what a baby looks like at various stages of pregnancy. We can see it walk in the womb, we can see it suck its thumb, and we can see exactly what our baby looks like.

The public have been informed by the images of how a foetus develops, the knowledge that foetuses feel pain in the uterus earlier, the knowledge of what happens in a late termination, the fact that doctors do not want to perform abortions and the fact that they are not performed in the NHS but in private clinics, and they have taken a view. Their view is that they do not want any further late terminations at 24 weeks. The public do not say that they want the limit to come down from 24 weeks; the public—including three quarters of women—say that they want 20 weeks. They specify what they want.

I would like to press the new clause to a vote, but I would like to finish with the words of Professor Sunny Anand, who is the world's leading authority on foetal pain. As a result of his work, neonates who are operated on now live. The consensus of opinion before was that neonates could not feel pain before they were due to be born. They were operated on and died during the operations. As a result of his research, neonates now live.

Mr. Burrowes: My hon. Friend is making a powerful case. Yesterday, the assertion was made in the discussion about saviour siblings, not least by the Minister, that she would move heaven and earth to ensure that a very sick child lived. How does my hon. Friend square that with the position today, whereby the Minister would not ensure that very sick children who are the victims of late abortion lived, by reducing the time limit?

Mrs. Dorries: The Minister may have selective preferences about which lives she wants to save.

Dawn Primarolo: The hon. Lady has asserted many things to be facts that are not. She is entirely at liberty to make the points that she wishes to raise. However, nobody in the Chamber, least of all me, has made any assertions about people picking and choosing. Some of the things that she is saying are not borne out by the evidence.

Mrs. Dorries: If the Minister feels that I have said anything tonight—cited any statistic or piece of information—that is not factual, I hope that she will challenge it.

I should like to finish with the words of Professor Anand. He recently said to me, "Nadine, your Parliament will be voting on setting a time limit on abortion. So much has happened in science in the last 20 years that, when you cast your vote, it will be like a snapshot in time. But science and research is like an ever-rolling movie." Whereas we have experienced good statistical improvements for neonates at 24 and 25 weeks, the amendments that were passed yesterday and the resultant changes in the law mean that neonates may live very much younger, very much sooner.

Given that we have a vote on the subject only every 20 years or so, perhaps we should represent the will of the public and reduce the limit to 20 weeks now.

Dr. Palmer: I want to speak about new clause 8, which is in my name and those of other Labour and Conservative Members.

New clause 8 is the only amendment to focus on late abortion in the case of severe disability, and I give notice that I hope to press it.

Let me consider the other new clauses briefly. Given that there is no early term limit in cases of severe disability, I will not comment on the proposals to reduce the term limit, but I should like to congratulate the hon. Member for Southport (Dr. Pugh) on his persuasive and balanced views.

Two new clauses cover information. The other is new clause 7, which my hon. Friend the Member for Crosby (Mrs. Curtis-Thomas), who was here earlier, tabled. It may help the House if I explain the distinction between them. I think that my hon. Friend would agree that new clause 7 is intended to encourage women to think twice about abortion. New clause 8 would offer additional, strictly neutral information to help the woman at what may be the most difficult juncture in her life.

Mr. Crispin Blunt (Reigate) (Con): As a parent who found himself in circumstances that could have been caught by new clause 8, I find it patronising, onerous and unnecessary. It would probably do more damage than good. What position does the hon. Gentleman think parents who could be caught by new clause 8 are in? The Minister has made it clear that guidelines already cover that, and I sincerely hope that the hon. Gentleman will not press the new clause.

Dr. Palmer: I hear what the hon. Gentleman says, and I draw his attention to the contents of the proposed information. I shall go through them in detail.

New clause 8 would essentially require neutral scientific information and counselling on a diagnosed condition to be offered to any woman considering an abortion. In practice, the effect would be that the Department of Health would need to provide a briefing pack on the conditions that the tests can disclose—Down's syndrome, club foot, cleft palate and so on—that also covered, for example, life expectancy, quality of life, availability of treatment and support groups. In response to the hon. Gentleman, I would say that any prospective parent in doubt about whether to have an abortion would surely wish to know those basic facts. They will want to ask, "What is the life expectancy if I go ahead? What kind of quality of life will the child have? What treatment is available and what support groups are there?"

9.45 pm

Mr. Tom Clarke (Coatbridge, Chryston and Bellshill) (Lab): I happen to believe that my hon. Friend's new clause is one of the most important measures that we are being asked to consider this evening. Does he

[Mr. Tom Clarke]

accept that many people in disability organisations—not all, but many—take the view that it is perfectly reasonable that a woman who has been informed that her child might have a mental or physical incapacity should, before she takes such a major decision, know what assistance, counselling, therapeutic response and much more society is prepared to offer? The woman is entitled to hear what society is prepared to offer.

Dr. Palmer: I entirely accept my right hon. Friend's point. I stress that we are talking about the offer of information. Unlike some proposals that we have heard in the past, we are not saying, "We will not allow you an abortion unless you sit through this briefing that we insist on giving you." We are not saying, "You must go away and come back after a certain period." We are saying, "We have this information for you. If you would like to hear it and if you would like counselling, it is available." We would make it mandatory—not for the woman, but for the health service—that such information must be available. If the woman and her partner felt that they had enough information already, they would be free to decline the offer without any delay.

Mr. Blunt: Will the hon. Gentleman give way?

Dr. Palmer: I am sorry, but in view of the shortage of time, I do not want to take more than one intervention per hon. Member.

My proposal would not impose any delay—the couple can immediately reject the offer—and would not create any hoops for people to jump through. In many of the 35,000 cases a year of diagnosed foetal abnormality, the information that I have described is already spontaneously provided by medical advisers, as we have heard, but in some cases it is not. Unless the parents press for that information—and let us face it, not every parent has the confidence in that stressful situation to press for detailed information—they are faced with an appalling dilemma, yet without the information that they need to resolve it.

Mr. Hugo Swire (East Devon) (Con): Given that we are all keen to back everything that we say this evening with evidence, can the hon. Gentleman give any examples that he has ever heard about or come across where a parent has not asked for that information at that critical point?

Dr. Palmer: Unlike some hon. Members, I am not able to give chapter and verse from individual conversations, but I have certainly spoken to constituents who have had abortions who said that they did not quite know the right questions to ask in that desperate situation. They asked what the implications of the condition were, but they were not spontaneously offered a detailed briefing of the kind that I propose. The hon. Gentleman may be underestimating the stress under which people are put and overestimating their ability to vocalise and communicate all the questions that they might have. There are many people who are a little scared of the health service and of the doctors to whom they talk. People are not universally as loquacious as the hon. Gentleman or as able to question energetically every doctor whom they meet. That is the difficulty. We need to be willing to provide the information without being pressed for it.

I must declare a personal interest. I was born with a cleft palate, and my parents were advised by the surgeon that I could still have a decent quality of life so long as I did not make the mistake of choosing a career that involved public speaking. *[Laughter.]* I do not claim that all advice is good. It sometimes seems as though we as a society place too much emphasis on physical perfection. Looking around the Chamber, I see that all hon. Members present are exceptionally good-looking, but the sad truth is that none of us is perfect, however much we may look it. There are terrible foetal abnormalities that make the decision to have an abortion entirely understandable, but it is a great pity that potential parents, in a moment of acute distress, might be panicked into having an abortion when they could have had a happy child if they had been given more information.

On most of the amendments to the Bill, hon. Members have generally separated into quite clear pro-choice and pro-life camps. My new clause has attracted the support of pro-life groups because they believe that if more information about the support that is available were provided, it is likely that fewer parents would opt for abortion. There is, however, nothing anti-choice about it. I tabled it as someone who has no religious belief, much as I would like to, and who is not part of any organised group on the subject. It is simply about ensuring that there is informed choice. I hope that many colleagues who have been agonising over these issues will find it a helpful way forward.

Richard Ottaway (Croydon, South) (Con): I rise to speak to new clause 9, which seeks to lower to 22 weeks the threshold for terminations. Like my hon. Friend—she is my friend—the Member for Mid-Bedfordshire (Mrs. Dorries), I agree with the principle of abortion. I believe that every child should be a wanted child, and I suspect that abortion is a terrifying experience involving trauma and stress for the woman involved. I also believe that even if one is against the principle of abortion, it should be the woman's right to choose.

I invite the Committee to imagine a frightened young woman living in a bedsit somewhere on a housing estate in England who is pregnant, has no friends and has hostile parents. I believe that it is not for MPs to decide that she should be condemned to live with the consequences of that pregnancy for the rest of her life, or, indeed, that the child should be condemned to be an unwanted child. To me, it is for the woman to decide whether or not to have a termination. The issue is the circumstances in which abortion takes place.

I am the first to admit that the current law is far from perfect, but this is not a perfect world. With one exception, on balance, I do not favour either strengthening or liberalising the current law. That exception is the time limit for termination. I appreciate the briefings that have been given by the BMA, the Royal College of Obstetricians and Gynaecologists and the Royal College of Nursing, which conclude that there is no evidence of a significant improvement in the survival of pre-term infants at below 24 weeks' gestation in the past 18 years. I have no grounds on which to dispute that, and I accept their evidence, but in my judgment that is not the point. The question is whether 24 weeks is the right threshold.

In 1990, the House reduced the threshold from 28 weeks to 24 weeks. If the report of the Royal

College of Obstetricians and Gynaecologists is right and the situation is the same now as it was then, I am not sure that I would have supported 24 weeks then.

In reaching the judgment, there are conflicting pressures. I believe that a woman should be given as much time as possible to deal with the huge economic and health pressures to decide whether she wants the child. However, I am concerned that abortions are being carried out after the date of viability.

Dr. Desmond Turner: Under the Act, the concept of 24 weeks is different from that of 24 medical weeks, as recorded in medical records and referred to in the various studies, including the EPICure study. The 24 weeks referred to in the medical studies are, in legal terms, 25 weeks, as the period can be anything from 24 weeks and 0 days to 24 weeks and six days. However, "24 weeks" in the Act refers to anything between 23 and 24 weeks. That is critical, because this is a critical time of development—

The Chairman: Order. I think that the Committee has probably got the point.

Richard Ottaway: The hon. Gentleman has made his point, but it bears no resemblance to anything that I was talking about.

Emily Thornberry *rose*—

Richard Ottaway: I am sorry, I will not give way.

I want to concentrate on the definition of viability, which was well put by the Liberal Democrat spokesman, the hon. Member for Southport (Dr. Pugh) and by my hon. Friend the Member for Hemel Hempstead (Mike Penning) as: can the child survive at birth? The evidence from the Royal College of Obstetricians and Gynaecologists states that, at 23 weeks, the survival rate is about 7 or 8 per cent., with improved survival prospects thereafter. The evidence also states that there is no survival at 22 weeks, and that there has been no change in that regard. To me, that 7 or 8 per cent. is statistically significant. There is a choice between survival at 23 weeks and no survival at 22 weeks. It is my judgment that this is where the science comes in, and that viability lies somewhere between 22 and 23 weeks—hence my amendment proposing a limit of 22 weeks. That would give a woman as much time as possible to make her decision and for any genetic conditions to become apparent. It is worth noting that an overwhelming number of European countries have a limit of 12 weeks, so this proposal can hardly be described as liberal.

Emily Thornberry: Will the hon. Gentleman give way?

Richard Ottaway: I am not giving way again.

If anybody wants a cure for the quiet life, I suggest that they table an amendment on abortion. On the one hand, I have been criticised by the United Kingdom Family Planning Association, which has asked me to resign as a patron. On the other, I have been criticised behind my back for tabling what has been described as a wrecking amendment. I do not think that this is a wrecking amendment. I have not sought to lobby anyone, and I have not given any interviews. I simply believe that it would make the legislation workable.

I have been a patron of the Family Planning Association for about a decade. I support its aims and objectives, which include preventing women from getting pregnant in the first place, and I regret its insistence on collective responsibility for every nuance of its policy. Given the criticism that I have received from both ends of the spectrum, however, I suspect that I have got this right. I urge colleagues to support new clause 9 and a term limit of 22 weeks.

Julie Morgan: I speak in support of the present abortion time limit and to oppose all the amendments to reduce it. It is now 40 years since the Abortion Act came into effect in April 1968, and we have had 40 years in which women have rightly been able to decide what is right for them, in consultation with doctors, and in which abortion has been legal and safe. I am pleased that we have been able to celebrate those 40 years on a cross-party basis, and that Sir David Steel, who introduced the original Bill, joined in those celebrations. He has made clear his support for retaining the 24-week limit.

Despite some of the comments that have been made tonight and in the newspapers, which seemed to imply that women had abortions on a whim, the decision to have an abortion is not one that is taken lightly or is easy to follow through. It is not easy to get an abortion: women in the UK do not get abortions on request, and the procedure has to be agreed by two doctors. Many people, including me, believe that abortion should be more accessible. There are no circumstances in which a woman wants to end up having to have an abortion, particularly if she is in an advanced state of pregnancy.

10 pm

It is very important to re-emphasise the number of abortions that take place late, as it is a minute number. About 89 per cent. take place in the first 13 weeks, as has already been said, and only a tiny number—1.45 per cent.—take place after 20 weeks. Clearly, it is extraordinary for late abortions to occur and it usually happens because of extraordinary sets of circumstances. For example, many women having late abortions have often not realised that they are pregnant or they may have gone into denial. It is quite common for women to deny that they are pregnant, ending up wanting a late abortion. Changes in personal circumstances may be relevant. Many Members have mentioned domestic abuse and changes in family circumstances.

Mr. Mark Francois (Rayleigh) (Con): Will the hon. Lady give way?

Julie Morgan: Briefly, once.

Mr. Francois: Very briefly, strong views have been expressed on both sides of the House tonight, but none of the absolutist positions appears on the Order Paper. What we are being asked to do by definition is to take a decision at the margins. As the nub of the argument appears to be viability and, as we have already heard from a number of examples this evening, it is moving down to 23 or even 22 weeks, does it not make sense to move that margin to take account of that development? Should we not vote for 23 or even for 20 weeks?

Julie Morgan: I disagree with the hon. Gentleman. A number of organisations have said very clearly that viability under 24 weeks is not improving. I am coming on to that point in a few moments. My argument now is that many of the different reasons why women present for late abortions are good and valid ones. Those reasons apply specifically to particular women. The decision to go ahead with an abortion should be made by that woman personally in tandem with her doctor on the basis of those particular issues.

I attended the British Medical Association meeting this morning and talked to gynaecologists and others who are practising in the field. They told me that even a reduction of two weeks would have a significant effect on a very small number of vulnerable women. As has already been said, they need time to talk to those women about the decision they have to make. It is so important not to reduce the opportunity for those vulnerable women to discuss those issues.

There is a clear consensus in the medical community on survival rates. Many Members have mentioned that consensus, but some have failed to acknowledge it as they should. *[Interruption.]* Certainly, the Royal College of Nursing, the British Medical Association and other organisations have come out with a clear statement that there has been no improvement in viability under 24 weeks.

Mr. John Hayes (South Holland and The Deepings) (Con): Will the hon. Lady give way?

Julie Morgan: No, I am not giving way now.

The medical evidence is absolutely clear, but there is another important issue, which is a moral one. Is it right—*[Interruption.]*

The Chairman: Order. There is far too much conversation going on in the Committee. The hon. Lady has been waiting a long time to make her contribution and she should be heard.

Julie Morgan: Thank you, Sir Alan.

The moral issue is whether it is right to force a woman to carry on with a pregnancy if she feels that she cannot do so, perhaps because she feels it may threaten her family set-up or her other children. If she really feels unable to carry on, should she be forced into motherhood? Is that a good idea either for the mother or the child? Surely it is better to go with the judgment of the mother and the doctor, discussing the matter together in the light of her particular circumstances. It is all about women's autonomy and control over their own bodies rather than being forced to continue with an unwanted pregnancy or to seek an unsafe abortion, which could be the consequence. The point was well made by my hon. Friend the Member for Calder Valley (Chris McCafferty): "If you don't believe in abortion, don't have one." I think that that sums up very well what the debate is about. It is about respecting another person's right to choose, even if it is not a choice that one would make oneself.

I think we all know that many—not all—of those who seek to reduce the upper time limit are really against a woman's right to choose at all, and are entering through the back door to begin the erosion of women's control over their own bodies and their own lives. I believe that the campaign to cut the limit to 20, 22 or 16 weeks is not an anti-24-week campaign but, in reality, an anti-abortion campaign, and I think we have accepted that in tonight's debate. I think we have accepted that any attempt to reduce the abortion limit from 24 weeks even to 22 weeks is an attack on abortion generally.

I hope that members of all parties, when they vote tonight, will remember that our rights over our bodies were hard won, and were supported at the time by members of all parties. I do not think we want to see tonight an erosion of those rights that we won. I think that we need to remain steadfast, accept the clear medical evidence and give these anti-abortion proposals—because they are all anti-abortion—a resounding no.

Miss Widdecombe: We have in this country at present a situation in which it is possible for this to happen to two children of exactly the same age and gestation: one is in a cot with all the resources of medical science being poured in to save it, while the other is quite deliberately being taken from the womb and destroyed. That is moral anarchy. That is a totally unjustifiable state of affairs. What is the difference between those two children? One thing only: the will of another human being. They are exactly the same age and of exactly the same gestation, but under the current law they are treated entirely differently.

A considerable smokescreen has been raised tonight about the woman's right to choose. The law already limits that right. After 24 weeks, no matter how dire the woman's situation and no matter how much she may not want to continue the pregnancy, the law says that at that point her right to have her wishes prevail is limited, indeed non-existent. So we already limit the right. The question is whether we should continue to limit the right at 24 weeks, or whether we should do so at an earlier point. There is no reason whatever why we should be driven only by the issue of viability. That is another smokescreen, because there is also the issue of the humanity of the child.

John Bercow: Will my right hon. Friend give way?

Miss Widdecombe: Very briefly.

John Bercow: I am extremely grateful to my right hon. Friend. She is concerned about humanity; so are other right hon. and hon. Members. Does she not accept that if there is a two-week reduction, very, very frightened and vulnerable women will unquestionably suffer? We should stick with the status quo.

Miss Widdecombe: I cannot believe the way in which my hon. Friend has simply dismissed the humanity of the child. Because of the 24-week limit, that situation already arises. What limits the period to 24 weeks? The humanity of the child; the ability to feel pain, on which there is now a vast body of scientific evidence; the ability to feel distress. I ask again, why do we need to give a lethal injection to a child if it is not living in the womb? It may not be living outside the womb, but it is living in the womb. Those who believe in preserving life acknowledge the life of what is living, even though we cannot see it. If we could see the children that are being taken for abortion, there would be a national outcry.

That is why Professor Campbell's pictures have had such an impact. Suddenly we can see what we are so wantonly—and I would say wickedly—destroying. Therefore, I commend any reduction, but especially that proposed by my hon. Friend the Member for Gainsborough (Mr. Leigh). I sincerely hope that tonight we will strike a blow for the weakest in our midst—those who have no other voice but ours.

Mr. Leigh: I thank all Members who have taken part. This has been a fine, serious and good-natured debate in which Members have spoken with passion and conscience for what they believe in. The Committee must now divide. We all accept, of course, that women have rights. I hope, also, that we will ponder before we vote the fact that unborn children have rights, too.

Question put, That the clause be read a Second time:—

The Committee divided: Ayes 71, Noes 393.

Division No. 199] [10.10 pm

AYES

Bacon, Mr. Richard
Battle, rh John
Bellingham, Mr. Henry
Benton, Mr. Joe
Binley, Mr. Brian
Bone, Mr. Peter
Brazier, Mr. Julian
Browne, rh Des
Burrowes, Mr. David
Campbell, Mr. Gregory
Cash, Mr. William
Clarke, rh Mr. Tom
Conway, Derek
Cormack, Sir Patrick
Crabb, Mr. Stephen
Cummings, John
Curtis-Thomas, Mrs. Claire
Davies, David T.C.
(Monmouth)
Dodds, Mr. Nigel
Dorries, Mrs. Nadine
Drew, Mr. David
Durkan, Mark
Evans, Mr. Nigel
Fox, Dr. Liam
Goodman, Mr. Paul
Green, Damian
Grieve, Mr. Dominic
Gummer, rh Mr. John
Harper, Mr. Mark
Hayes, Mr. John
Herbert, Nick
Hoban, Mr. Mark
Hollobone, Mr. Philip
Holloway, Mr. Adam
Hunt, Mr. Jeremy
Kawczynski, Daniel
Kelly, rh Ruth
Leigh, Mr. Edward
Lidington, Mr. David
Lilley, rh Mr. Peter
Mackinlay, Andrew
MacNeil, Mr. Angus
McAvoy, rh Mr. Thomas
McCrea, Dr. William
McDonnell, Dr. Alasdair
McFall, rh John
McGovern, Mr. Jim
McGrady, Mr. Eddie
McLoughlin, rh Mr. Patrick
Mulholland, Greg
Murphy, rh Mr. Paul
Paterson, Mr. Owen
Pritchard, Mark
Pugh, Dr. John
Robertson, Mr. Laurence
Robinson, Mrs. Iris
Roy, Mr. Frank
Russell, Bob
Selous, Andrew
Simpson, David
Smith, Geraldine
Streeter, Mr. Gary
Swayne, Mr. Desmond
Touhig, rh Mr. Don
Turner, Mr. Andrew
Vaz, rh Keith
Walker, Mr. Charles
Waterson, Mr. Nigel
Watkinson, Angela
Widdecombe, rh Miss Ann
Wilson, Sammy

Tellers for the Ayes:
Anne Main and
Mr. David Amess

NOES

Abbott, Ms Diane
Afriyie, Adam
Ainsworth, rh Mr. Bob
Ainsworth, Mr. Peter
Alexander, Danny
Alexander, rh Mr. Douglas
Arbuthnot, rh Mr. James
Armstrong, rh Hilary
Atkinson, Mr. Peter
Austin, Mr. Ian
Austin, John
Bailey, Mr. Adrian
Baker, Norman
Baldry, Tony
Balls, rh Ed
Banks, Gordon
Barker, Gregory
Barlow, Ms Celia
Baron, Mr. John
Barrett, John
Barron, rh Mr. Kevin
Bayley, Hugh
Beckett, rh Margaret
Begg, Miss Anne
Benn, rh Hilary
Bercow, John
Beresford, Sir Paul
Berry, Roger
Betts, Mr. Clive
Blackman, Liz
Blackman-Woods, Dr. Roberta
Blears, rh Hazel
Blizzard, Mr. Bob
Blunkett, rh Mr. David
Blunt, Mr. Crispin
Borrow, Mr. David S.
Bradshaw, Mr. Ben
Brake, Tom
Brennan, Kevin
Brokenshire, James
Brooke, Annette
Brown, rh Mr. Gordon
Brown, Lyn
Brown, rh Mr. Nicholas
Brown, Mr. Russell
Bruce, rh Malcolm
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, rh Andy
Burstow, Mr. Paul
Burt, Lorely
Butler, Ms Dawn
Byers, rh Mr. Stephen
Byrne, Mr. Liam
Caborn, rh Mr. Richard
Cameron, rh Mr. David
Campbell, Mr. Alan
Campbell, rh Sir Menzies
Campbell, Mr. Ronnie
Carmichael, Mr. Alistair
Cawsey, Mr. Ian
Challen, Colin
Chaytor, Mr. David
Clapham, Mr. Michael
Clark, Ms Katy
Clark, Paul
Clarke, rh Mr. Charles
Clegg, rh Mr. Nick
Clelland, Mr. David
Clifton-Brown, Mr. Geoffrey
Coaker, Mr. Vernon
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cooper, rh Yvette
Corbyn, Jeremy
Cousins, Jim
Creagh, Mary
Cruddas, Jon
Cryer, Mrs. Ann
Cunningham, Mr. Jim
Curry, rh Mr. David
Darling, rh Mr. Alistair
Davey, Mr. Edward
David, Mr. Wayne
Davidson, Mr. Ian
Davies, Mr. Dai
Davies, Mr. Quentin
Dean, Mrs. Janet
Denham, rh Mr. John
Devine, Mr. Jim
Dhanda, Mr. Parmjit
Dismore, Mr. Andrew
Djanogly, Mr. Jonathan
Dobson, rh Frank
Donohoe, Mr. Brian H.
Doran, Mr. Frank
Dorrell, rh Mr. Stephen
Dowd, Jim
Duddridge, James
Dunne, Mr. Philip
Eagle, Angela
Eagle, Maria
Efford, Clive
Ellman, Mrs. Louise
Ellwood, Mr. Tobias
Engel, Natascha
Ennis, Jeff
Etherington, Bill
Featherstone, Lynne
Fisher, Mark
Fitzpatrick, Jim
Flint, rh Caroline
Flynn, Paul
Foster, Mr. Don
Foster, Mr. Michael
(Worcester)
Francis, Dr. Hywel
Gapes, Mike
Garnier, Mr. Edward
Gauke, Mr. David
George, Andrew
Gerrard, Mr. Neil
Gibson, Dr. Ian
Gidley, Sandra
Gilroy, Linda
Godsiff, Mr. Roger
Goldsworthy, Julia
Goodman, Helen
Goodwill, Mr. Robert
Gray, Mr. James
Greening, Justine
Griffith, Nia
Griffiths, Nigel
Hain, rh Mr. Peter
Hall, Patrick
Hamilton, Mr. David
Hamilton, Mr. Fabian
Hammond, Mr. Philip
Hammond, Stephen
Hancock, Mr. Mike
Hands, Mr. Greg
Hanson, rh Mr. David
Harman, rh Ms Harriet
Harris, Dr. Evan
Harris, Mr. Tom
Harvey, Nick
Havard, Mr. Dai
Healey, John
Heathcoat-Amory, rh
Mr. David
Hemming, John
Henderson, Mr. Doug
Hepburn, Mr. Stephen

Hewitt, rh Ms Patricia
Heyes, David
Hill, rh Keith
Hodge, rh Margaret
Hodgson, Mrs. Sharon
Hoey, Kate
Holmes, Paul
Hope, Phil
Hopkins, Kelvin
Horam, Mr. John
Horwood, Martin
Hosie, Stewart
Howard, rh Mr. Michael
Howarth, David
Howarth, rh Mr. George
Howells, Dr. Kim
Hughes, rh Beverley
Hughes, Simon
Huhne, Chris
Humble, Mrs. Joan
Hunter, Mark
Hurd, Mr. Nick
Hutton, rh Mr. John
Iddon, Dr. Brian
Illsley, Mr. Eric
Ingram, rh Mr. Adam
Irranca-Davies, Huw
Jack, rh Mr. Michael
Jackson, Glenda
James, Mrs. Siân C.
Jenkins, Mr. Brian
Johnson, rh Alan
Johnson, Ms Diana R.
Jones, Mr. Kevan
Jones, Lynne
Jones, Mr. Martyn
Jowell, rh Tessa
Joyce, Mr. Eric
Keeble, Ms Sally
Keeley, Barbara
Keen, Ann
Keetch, Mr. Paul
Kemp, Mr. Fraser
Kennedy, rh Jane
Key, Robert
Khan, Mr. Sadiq
Kidney, Mr. David
Kilfoyle, Mr. Peter
Kirkbride, Miss Julie
Knight, rh Mr. Greg
Knight, Jim
Kramer, Susan
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Laing, Mrs. Eleanor
Lait, Mrs. Jacqui
Lamb, Norman
Lammy, Mr. David
Lansley, Mr. Andrew
Laws, Mr. David
Lazarowicz, Mark
Leech, Mr. John
Lepper, David
Letwin, rh Mr. Oliver
Levitt, Tom
Lewis, Mr. Ivan
Lewis, Dr. Julian
Linton, Martin
Llwyd, Mr. Elfyn
Love, Mr. Andrew
Lucas, Ian
Mackay, rh Mr. Andrew
MacShane, rh Mr. Denis
Mactaggart, Fiona
Malik, Mr. Shahid
Mallaber, Judy
Mann, John
Maples, Mr. John
Marris, Rob
Martlew, Mr. Eric
Mates, rh Mr. Michael
McCafferty, Chris
McCarthy, Kerry
McCarthy-Fry, Sarah
McDonnell, John
McFadden, Mr. Pat
McIntosh, Miss Anne
McIsaac, Shona
McKechin, Ann
McNulty, rh Mr. Tony
Meacher, rh Mr. Michael
Meale, Mr. Alan
Mercer, Patrick
Merron, Gillian
Milburn, rh Mr. Alan
Miliband, rh Edward
Miller, Andrew
Miller, Mrs. Maria
Milton, Anne
Mitchell, Mr. Austin
Moffat, Anne
Moffatt, Laura
Mole, Chris
Moon, Mrs. Madeleine
Moore, Mr. Michael
Moran, Margaret
Morden, Jessica
Morgan, Julie
Moss, Mr. Malcolm
Mountford, Kali
Mullin, Mr. Chris
Mundell, David
Munn, Meg
Murphy, Mr. Denis
Murrison, Dr. Andrew
Naysmith, Dr. Doug
Norris, Dan
O'Brien, Mr. Mike
O'Hara, Mr. Edward
Öpik, Lembit
Osborne, Mr. George
Osborne, Sandra
Ottaway, Richard
Palmer, Dr. Nick
Pearson, Ian
Pelling, Mr. Andrew
Penning, Mike
Penrose, John
Plaskitt, Mr. James
Pope, Mr. Greg
Prentice, Bridget
Prentice, Mr. Gordon
Prescott, rh Mr. John
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Mr. Ken
Purnell, rh James
Rammell, Bill
Raynsford, rh Mr. Nick
Redwood, rh Mr. John
Reed, Mr. Jamie
Reid, Mr. Alan
Rennie, Willie
Rifkind, rh Sir Malcolm
Riordan, Mrs. Linda
Robertson, Angus
Robertson, Hugh
Robertson, John
Robinson, Mr. Geoffrey
Ruddock, Joan
Russell, Christine
Ryan, rh Joan
Salmond, rh Mr. Alex
Salter, Martin
Seabeck, Alison
Shapps, Grant
Shaw, Jonathan
Sheerman, Mr. Barry
Sheridan, Jim
Short, rh Clare
Simmonds, Mark
Simon, Mr. Siôn
Simpson, Alan
Singh, Mr. Marsha
Skinner, Mr. Dennis
Slaughter, Mr. Andy
Smith, rh Mr. Andrew
Smith, Angela E. *(Basildon)*
Smith, rh Jacqui
Smith, Sir Robert
Snelgrove, Anne
Soames, Mr. Nicholas
Soulsby, Sir Peter
Southworth, Helen
Speller, rh Mr. John
Stanley, rh Sir John
Starkey, Dr. Phyllis
Stewart, Ian
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Straw, rh Mr. Jack
Stuart, Mr. Graham
Stunell, Andrew
Sutcliffe, Mr. Gerry
Swinson, Jo
Swire, Mr. Hugo
Tami, Mark
Taylor, Ms Dari
Taylor, Matthew
Taylor, Dr. Richard
Thomas, Mr. Gareth
Thornberry, Emily
Thurso, John
Timms, rh Mr. Stephen
Tipping, Paddy
Todd, Mr. Mark
Tredinnick, David
Trickett, Jon
Truswell, Mr. Paul
Turner, Dr. Desmond
Turner, Mr. Neil
Tyrie, Mr. Andrew
Ussher, Kitty
Vaizey, Mr. Edward
Vara, Mr. Shailesh
Viggers, Peter
Villiers, Mrs. Theresa
Vis, Dr. Rudi
Walley, Joan
Walter, Mr. Robert
Waltho, Lynda
Ward, Claire
Wareing, Mr. Robert N.
Webb, Steve
Weir, Mr. Mike
Whitehead, Dr. Alan
Wicks, Malcolm
Wiggin, Bill
Williams, rh Mr. Alan
Williams, Mrs. Betty
Williams, Hywel
Williams, Mark
Williams, Mr. Roger
Williams, Stephen
Willis, Mr. Phil
Willott, Jenny
Wills, Mr. Michael
Wilson, Phil
Winnick, Mr. David
Winterton, rh Ms Rosie
Wishart, Pete
Wood, Mike
Woolas, Mr. Phil
Wright, Mr. Anthony
Wright, David
Wright, Mr. Iain
Wright, Dr. Tony
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Noes:
Ms Angela C. Smith and Tony Lloyd

Question accordingly negatived.

It being more than three hours after the commencement of proceedings on the new Clauses, THE CHAIRMAN *put forthwith the Questions necessary for the disposal of the business to be concluded at that hour, pursuant to Order [12 May].*

New Clause 3

AMENDMENT OF THE LAW RELATING TO ABORTION
(No. 3)

'In section 1(1)(a) of the Abortion Act 1967 (c. 87) (medical termination of pregnancy), for "twenty-fourth week" substitute "sixteenth week".'—*[Mark Pritchard.]*

Brought up, and read the First time.

Question put, That the clause be added to the Bill:—

The Committee divided: Ayes 84, Noes 387.

Division No. 200] **[10.25 pm**

AYES

Ancram, rh Mr. Michael
Bacon, Mr. Richard
Battle, rh John
Bellingham, Mr. Henry
Benton, Mr. Joe
Binley, Mr. Brian
Bone, Mr. Peter
Brazier, Mr. Julian
Burrowes, Mr. David
Campbell, Mr. Gregory
Cash, Mr. William
Chope, Mr. Christopher
Clappison, Mr. James
Clarke, rh Mr. Tom
Conway, Derek
Cormack, Sir Patrick
Cox, Mr. Geoffrey
Crabb, Mr. Stephen
Cummings, John
Curtis-Thomas, Mrs. Claire
Davies, David T.C.
(Monmouth)
Dodds, Mr. Nigel
Dorries, Mrs. Nadine
Drew, Mr. David
Durkan, Mark
Etherington, Bill
Evans, Mr. Nigel
Fox, Dr. Liam
Goodman, Mr. Paul
Gray, Mr. James
Green, Damian
Grieve, Mr. Dominic
Gummer, rh Mr. John
Hands, Mr. Greg
Harper, Mr. Mark
Hayes, Mr. John
Herbert, Nick
Hoban, Mr. Mark
Hollobone, Mr. Philip
Holloway, Mr. Adam
Hunt, Mr. Jeremy
Jackson, Mr. Stewart
Jones, Mr. David
Kawczynski, Daniel
Kelly, rh Ruth
Leigh, Mr. Edward
Lidington, Mr. David
Lilley, rh Mr. Peter
Mackinlay, Andrew
MacNeil, Mr. Angus
Malins, Mr. Humfrey
McAvoy, rh Mr. Thomas
McCrea, Dr. William
McDonnell, Dr. Alasdair
McFall, rh John
McGovern, Mr. Jim
McGrady, Mr. Eddie
McLoughlin, rh Mr. Patrick
Mulholland, Greg
Murphy, rh Mr. Paul
Paterson, Mr. Owen
Pickles, Mr. Eric
Pritchard, Mark
Pugh, Dr. John
Reid, rh John
Robertson, Mr. Laurence
Robinson, Mrs. Iris
Roy, Mr. Frank
Russell, Bob
Selous, Andrew
Simpson, David
Smith, Geraldine
Streeter, Mr. Gary
Swayne, Mr. Desmond
Taylor, David
Touhig, rh Mr. Don
Turner, Mr. Andrew
Vaz, rh Keith
Walker, Mr. Charles
Walter, Mr. Robert
Waterson, Mr. Nigel
Watkinson, Angela
Widdecombe, rh Miss Ann
Wilson, Sammy

Tellers for the Ayes:
Anne Main and
Mr. David Amess

NOES

Abbott, Ms Diane
Ainsworth, rh Mr. Bob
Ainsworth, Mr. Peter
Alexander, Danny
Alexander, rh Mr. Douglas
Arbuthnot, rh Mr. James
Armstrong, rh Hilary
Atkinson, Mr. Peter
Austin, Mr. Ian
Austin, John
Bailey, Mr. Adrian
Baker, Norman
Baldry, Tony
Balls, rh Ed
Banks, Gordon
Barker, Gregory
Barlow, Ms Celia
Baron, Mr. John
Barrett, John
Barron, rh Mr. Kevin
Bayley, Hugh
Beckett, rh Margaret
Begg, Miss Anne
Benn, rh Hilary
Bercow, John
Beresford, Sir Paul
Berry, Roger
Betts, Mr. Clive
Blackman, Liz
Blackman-Woods, Dr. Roberta
Blears, rh Hazel
Blizzard, Mr. Bob
Blunkett, rh Mr. David
Blunt, Mr. Crispin
Borrow, Mr. David S.
Bradshaw, Mr. Ben
Brake, Tom
Brennan, Kevin
Brokenshire, James
Brooke, Annette
Brown, rh Mr. Gordon
Brown, Lyn
Brown, rh Mr. Nicholas
Brown, Mr. Russell
Bruce, rh Malcolm
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, rh Andy
Burstow, Mr. Paul
Burt, Lorely
Butler, Ms Dawn
Byers, rh Mr. Stephen
Byrne, Mr. Liam
Caborn, rh Mr. Richard
Cameron, rh Mr. David
Campbell, Mr. Alan
Campbell, rh Sir Menzies
Campbell, Mr. Ronnie
Carmichael, Mr. Alistair
Cawsey, Mr. Ian
Challen, Colin
Chaytor, Mr. David
Clapham, Mr. Michael
Clark, Ms Katy
Clark, Paul
Clarke, rh Mr. Charles
Clegg, rh Mr. Nick
Clelland, Mr. David
Clifton-Brown, Mr. Geoffrey
Coaker, Mr. Vernon
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cooper, rh Yvette
Corbyn, Jeremy
Cousins, Jim
Creagh, Mary
Cruddas, Jon
Cryer, Mrs. Ann
Cunningham, Mr. Jim
Curry, rh Mr. David
Darling, rh Mr. Alistair
Davey, Mr. Edward
David, Mr. Wayne
Davidson, Mr. Ian
Davies, Mr. Dai
Davies, Mr. Quentin
Dean, Mrs. Janet
Denham, rh Mr. John
Devine, Mr. Jim
Dhānda, Mr. Parmjit
Dismore, Mr. Andrew
Dobson, rh Frank
Donohoe, Mr. Brian H.
Doran, Mr. Frank
Dorrell, rh Mr. Stephen
Dowd, Jim
Duddridge, James
Dunne, Mr. Philip
Eagle, Angela
Eagle, Maria
Efford, Clive
Ellman, Mrs. Louise
Ellwood, Mr. Tobias
Engel, Natascha
Ennis, Jeff
Evennett, Mr. David
Featherstone, Lynne
Fisher, Mark
Fitzpatrick, Jim
Flint, rh Caroline
Flynn, Paul
Foster, Mr. Don
Foster, Mr. Michael
(Worcester)
Francis, Dr. Hywel
Gapes, Mike
Garnier, Mr. Edward
Gauke, Mr. David
George, Andrew
Gerrard, Mr. Neil
Gibson, Dr. Ian
Gidley, Sandra
Gilroy, Linda
Godsiff, Mr. Roger
Goldsworthy, Julia
Goodman, Helen
Goodwill, Mr. Robert
Greening, Justine
Griffith, Nia
Griffiths, Nigel
Hain, rh Mr. Peter
Hall, Patrick
Hamilton, Mr. David
Hamilton, Mr. Fabian
Hammond, Mr. Philip
Hammond, Stephen
Hancock, Mr. Mike
Hanson, rh Mr. David
Harman, rh Ms Harriet
Harris, Dr. Evan
Harris, Mr. Tom
Harvey, Nick
Havard, Mr. Dai
Healey, John
Heathcoat-Amory, rh
Mr. David
Hemming, John
Henderson, Mr. Doug
Hewitt, rh Ms Patricia
Heyes, David
Hill, rh Keith
Hodge, rh Margaret
Hodgson, Mrs. Sharon
Hoey, Kate
Hogg, rh Mr. Douglas
Holmes, Paul
Hope, Phil
Hopkins, Kelvin
Horam, Mr. John
Horwood, Martin
Hosie, Stewart
Howard, rh Mr. Michael
Howarth, David
Howarth, rh Mr. George
Howells, Dr. Kim
Hughes, rh Beverley
Hughes, Simon
Huhne, Chris
Humble, Mrs. Joan
Hunter, Mark
Hurd, Mr. Nick
Hutton, rh Mr. John
Iddon, Dr. Brian
Illsley, Mr. Eric
Ingram, rh Mr. Adam
Irranca-Davies, Huw
Jack, rh Mr. Michael

Jackson, Glenda
James, Mrs. Siân C.
Jenkins, Mr. Brian
Johnson, rh Alan
Johnson, Ms Diana R.
Jones, Mr. Kevan
Jones, Lynne
Jones, Mr. Martyn
Jowell, rh Tessa
Joyce, Mr. Eric
Keeble, Ms Sally
Keeley, Barbara
Keen, Ann
Keetch, Mr. Paul
Kemp, Mr. Fraser
Kennedy, rh Jane
Key, Robert
Khan, Mr. Sadiq
Kidney, Mr. David
Kirkbride, Miss Julie
Knight, rh Mr. Greg
Knight, Jim
Kramer, Susan
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Laing, Mrs. Eleanor
Lait, Mrs. Jacqui
Lamb, Norman
Lammy, Mr. David
Lansley, Mr. Andrew
Laws, Mr. David
Lazarowicz, Mark
Leech, Mr. John
Lepper, David
Letwin, rh Mr. Oliver
Levitt, Tom
Lewis, Mr. Ivan
Lewis, Dr. Julian
Linton, Martin
Llwyd, Mr. Elfyn
Love, Mr. Andrew
Lucas, Ian
Mackay, rh Mr. Andrew
MacShane, rh Mr. Denis
Mactaggart, Fiona
Malik, Mr. Shahid
Mallaber, Judy
Mann, John
Maples, Mr. John
Marris, Rob
Marshall, Mr. Eric
Mates, rh Mr. Michael
McCafferty, Chris
McCarthy, Kerry
McCarthy-Fry, Sarah
McDonnell, John
McFadden, Mr. Pat
McIntosh, Miss Anne
McIsaac, Shona
McKechin, Ann
McNulty, rh Mr. Tony
Meacher, rh Mr. Michael
Meale, Mr. Alan
Mercer, Patrick
Merron, Gillian
Milburn, rh Mr. Alan
Miliband, rh Edward
Miller, Andrew
Miller, Mrs. Maria
Milton, Anne
Mitchell, Mr. Austin
Moffat, Anne
Moffatt, Laura
Mole, Chris
Moon, Mrs. Madeleine
Moore, Mr. Michael
Moran, Margaret
Morden, Jessica
Morgan, Julie
Moss, Mr. Malcolm
Mountford, Kali
Mullin, Mr. Chris
Mundell, David
Munn, Meg
Murphy, Mr. Denis
Murrison, Dr. Andrew
Naysmith, Dr. Doug
Norris, Dan
O'Brien, Mr. Mike
O'Hara, Mr. Edward
Öpik, Lembit
Osborne, Mr. George
Osborne, Sandra
Ottaway, Richard
Palmer, Dr. Nick
Pearson, Ian
Pelling, Mr. Andrew
Penning, Mike
Penrose, John
Plaskitt, Mr. James
Pope, Mr. Greg
Prentice, Bridget
Prentice, Mr. Gordon
Prescott, rh Mr. John
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Mr. Ken
Purnell, rh James
Rammell, Bill
Raynsford, rh Mr. Nick
Reed, Mr. Jamie
Reid, Mr. Alan
Rennie, Willie
Rifkind, rh Sir Malcolm
Riordan, Mrs. Linda
Robertson, Angus
Robertson, Hugh
Robertson, John
Robinson, Mr. Geoffrey
Ruddock, Joan
Russell, Christine
Ryan, rh Joan
Salmond, rh Mr. Alex
Salter, Martin
Seabeck, Alison
Shapps, Grant
Shaw, Jonathan
Sheerman, Mr. Barry
Sheridan, Jim
Short, rh Clare
Simmonds, Mark
Simon, Mr. Siôn
Simpson, Alan
Singh, Mr. Marsha
Skinner, Mr. Dennis
Slaughter, Mr. Andy
Smith, rh Mr. Andrew
Smith, Angela E. *(Basildon)*
Smith, rh Jacqui
Smith, Sir Robert
Snelgrove, Anne
Soames, Mr. Nicholas
Soulsby, Sir Peter
Southworth, Helen
Spellar, rh Mr. John
Stanley, rh Sir John
Starkey, Dr. Phyllis
Steen, Mr. Anthony
Stewart, Ian
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Straw, rh Mr. Jack
Stuart, Mr. Graham
Stunell, Andrew
Swinson, Jo
Swire, Mr. Hugo
Tami, Mark
Taylor, Ms Dari
Taylor, Matthew
Taylor, Dr. Richard
Thomas, Mr. Gareth
Thornberry, Emily
Thurso, John
Timms, rh Mr. Stephen
Tipping, Paddy
Todd, Mr. Mark
Tredinnick, David
Trickett, Jon
Truswell, Mr. Paul
Turner, Dr. Desmond
Turner, Mr. Neil
Tyrie, Mr. Andrew
Ussher, Kitty
Vaizey, Mr. Edward
Vara, Mr. Shailesh
Viggers, Peter
Villiers, Mrs. Theresa
Vis, Dr. Rudi
Walley, Joan
Waltho, Lynda
Ward, Claire
Wareing, Mr. Robert N.
Webb, Steve
Weir, Mr. Mike
Whitehead, Dr. Alan
Wicks, Malcolm
Wiggin, Bill
Williams, rh Mr. Alan
Williams, Mrs. Betty
Williams, Hywel
Williams, Mark
Williams, Mr. Roger
Williams, Stephen
Willis, Mr. Phil
Willott, Jenny
Wills, Mr. Michael
Wilson, Phil
Winnick, Mr. David
Winterton, rh Ms Rosie
Wishart, Pete
Wood, Mike
Woolas, Mr. Phil
Wright, Mr. Anthony
Wright, David
Wright, Mr. Iain
Wright, Dr. Tony
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Noes:

Ms Angela C. Smith and
Tony Lloyd

Question accordingly negatived.

New Clause 5

AMENDMENT OF THE LAW RELATING TO ABORTION (No.5)

'In section 1(1)(a) of the Abortion Act 1967 (c. 87) (medical termination of pregnancy), for "twenty-fourth week" substitute "twentieth week".'.—*[Mrs. Dorries.]*

Brought up, and read the First time.

Question put, That the clause be added to the Bill:—

The Committee divided: Ayes 190, Noes 332.

Division No. 201] **[10.39 pm**

AYES

Ainsworth, Mr. Peter
Ancram, rh Mr. Michael
Atkinson, Mr. Peter
Bacon, Mr. Richard
Baker, Norman
Barker, Gregory
Battle, rh John
Bell, Sir Stuart
Bellingham, Mr. Henry
Benton, Mr. Joe
Benyon, Mr. Richard
Binley, Mr. Brian
Bone, Mr. Peter
Borrow, Mr. David S.
Brazier, Mr. Julian
Breed, Mr. Colin
Brokenshire, James
Browne, rh Des
Browning, Angela
Burns, Mr. Simon
Burrowes, Mr. David
Burt, Alistair
Cameron, rh Mr. David
Campbell, Mr. Gregory
Campbell, Mr. Ronnie
Carswell, Mr. Douglas
Cash, Mr. William
Chope, Mr. Christopher
Clappison, Mr. James
Clark, Greg
Clarke, rh Mr. Tom
Conway, Derek
Cormack, Sir Patrick
Cox, Mr. Geoffrey
Crabb, Mr. Stephen
Crausby, Mr. David

Cummings, John
Cunningham, Tony
Curtis-Thomas, Mrs. Claire
Davies, David T.C. *(Monmouth)*
Djanogly, Mr. Jonathan
Dodds, Mr. Nigel
Dorries, Mrs. Nadine
Drew, Mr. David
Duncan Smith, rh Mr. Iain
Durkan, Mark
Ellwood, Mr. Tobias
Evans, Mr. Nigel
Evennett, Mr. David
Fallon, Mr. Michael
Field, rh Mr. Frank
Field, Mr. Mark
Foster, Michael Jabez *(Hastings and Rye)*
Fox, Dr. Liam
Francois, Mr. Mark
Gauke, Mr. David
Gillan, Mrs. Cheryl
Goggins, Paul
Goodman, Mr. Paul
Goodwill, Mr. Robert
Gray, Mr. James
Grayling, Chris
Green, Damian
Greening, Justine
Grieve, Mr. Dominic
Grogan, Mr. John
Gummer, rh Mr. John
Hague, rh Mr. William
Hammond, Mr. Philip
Hammond, Stephen
Hands, Mr. Greg
Harper, Mr. Mark
Harris, Mr. Tom
Hayes, Mr. John
Heald, Mr. Oliver
Hendry, Charles
Herbert, Nick
Hermon, Lady
Hillier, Meg
Hoban, Mr. Mark
Hollobone, Mr. Philip
Holloway, Mr. Adam
Howard, rh Mr. Michael
Hoyle, Mr. Lindsay
Hughes, Simon
Hunt, Mr. Jeremy
Irranca-Davies, Huw
Jack, rh Mr. Michael
Jackson, Mr. Stewart
Jones, Mr. David
Jones, Helen
Kawczynski, Daniel
Kelly, rh Ruth
Kilfoyle, Mr. Peter
Laing, Mrs. Eleanor
Laws, Mr. David
Leigh, Mr. Edward
Letwin, rh Mr. Oliver
Lewis, Dr. Julian
Liddell-Grainger, Mr. Ian
Lidington, Mr. David
Lilley, rh Mr. Peter
Mackinlay, Andrew
Maclean, rh David
MacNeil, Mr. Angus
Main, Anne
Malik, Mr. Shahid
Malins, Mr. Humfrey
Marsden, Mr. Gordon
Mates, rh Mr. Michael
Maude, rh Mr. Francis
May, rh Mrs. Theresa
McAvoy, rh Mr. Thomas
McCrea, Dr. William
McDonnell, Dr. Alasdair
McFall, rh John
McGovern, Mr. Jim
McGrady, Mr. Eddie
McLoughlin, rh Mr. Patrick
Miller, Mrs. Maria
Milton, Anne
Moss, Mr. Malcolm
Mulholland, Greg
Mundell, David
Murphy, rh Mr. Paul
Murrison, Dr. Andrew
Neill, Robert
Newmark, Mr. Brooks
O'Brien, Mr. Stephen
Owen, Albert
Paice, Mr. James
Paterson, Mr. Owen
Pelling, Mr. Andrew
Penning, Mike
Pickles, Mr. Eric
Pope, Mr. Greg
Pound, Stephen
Prentice, Bridget
Pritchard, Mark
Pugh, Dr. John
Randall, Mr. John
Redwood, rh Mr. John
Reed, Mr. Andy
Reid, rh John
Robathan, Mr. Andrew
Robertson, Hugh
Robertson, Mr. Laurence
Robinson, Mrs. Iris
Rogerson, Dan
Rowen, Paul
Roy, Mr. Frank
Ruane, Chris
Russell, Bob
Salmond, rh Mr. Alex
Scott, Mr. Lee
Selous, Andrew
Shapps, Grant
Shepherd, Mr. Richard
Simpson, David
Simpson, Mr. Keith
Smith, Geraldine
Soames, Mr. Nicholas
Spelman, Mrs. Caroline
Spring, Mr. Richard
Steen, Mr. Anthony
Streeter, Mr. Gary
Stuart, Mr. Graham
Stunell, Andrew
Swayne, Mr. Desmond
Syms, Mr. Robert
Teather, Sarah
Touhig, rh Mr. Don
Turner, Mr. Andrew
Twigg, Derek
Vaizey, Mr. Edward
Vara, Mr. Shailesh
Vaz, rh Keith
Walker, Mr. Charles
Walter, Mr. Robert
Ward, Claire
Wareing, Mr. Robert N.
Waterson, Mr. Nigel
Watkinson, Angela
Weir, Mr. Mike
Widdecombe, rh Miss Ann
Williams, Mr. Roger
Wilson, Mr. Rob
Wilson, Sammy
Wright, Jeremy
Younger-Ross, Richard

Tellers for the Ayes:
Mr. David Amess and
David Taylor

NOES

Abbott, Ms Diane
Ainsworth, rh Mr. Bob
Alexander, Danny
Alexander, rh Mr. Douglas
Arbuthnot, rh Mr. James
Armstrong, rh Hilary
Austin, John
Bailey, Mr. Adrian
Baldry, Tony
Balls, rh Ed
Banks, Gordon
Barlow, Ms Celia
Baron, Mr. John
Barrett, John
Barron, rh Mr. Kevin
Bayley, Hugh
Beckett, rh Margaret
Begg, Miss Anne
Benn, rh Hilary
Bercow, John
Beresford, Sir Paul
Berry, Roger
Betts, Mr. Clive
Blackman, Liz
Blackman-Woods, Dr. Roberta
Blears, rh Hazel
Blizzard, Mr. Bob
Blunkett, rh Mr. David
Blunt, Mr. Crispin
Bradshaw, Mr. Ben
Brake, Tom
Brennan, Kevin
Brooke, Annette
Brown, rh Mr. Gordon
Brown, Lyn
Brown, rh Mr. Nicholas
Brown, Mr. Russell
Bruce, rh Malcolm
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, rh Andy
Burstow, Mr. Paul
Burt, Lorely
Butler, Ms Dawn
Byers, rh Mr. Stephen
Byrne, Mr. Liam
Caborn, rh Mr. Richard
Campbell, Mr. Alan
Campbell, rh Sir Menzies
Carmichael, Mr. Alistair
Cawsey, Mr. Ian
Challen, Colin
Chaytor, Mr. David
Clapham, Mr. Michael
Clark, Ms Katy
Clark, Paul
Clarke, rh Mr. Charles
Clegg, rh Mr. Nick
Clelland, Mr. David
Clifton-Brown, Mr. Geoffrey
Coaker, Mr. Vernon
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cooper, rh Yvette
Corbyn, Jeremy
Cousins, Jim
Creagh, Mary
Cruddas, Jon
Cryer, Mrs. Ann
Cunningham, Mr. Jim
Curry, rh Mr. David
Darling, rh Mr. Alistair
Davey, Mr. Edward
David, Mr. Wayne
Davidson, Mr. Ian
Davies, Mr. Dai
Davies, Mr. Quentin
Dean, Mrs. Janet
Denham, rh Mr. John
Devine, Mr. Jim
Dhanda, Mr. Parmjit
Dismore, Mr. Andrew
Dobson, rh Frank
Donohoe, Mr. Brian H.
Doran, Mr. Frank
Dorrell, rh Mr. Stephen
Dowd, Jim
Duddridge, James
Dunne, Mr. Philip
Eagle, Angela
Eagle, Maria
Efford, Clive
Ellman, Mrs. Louise
Engel, Natascha
Ennis, Jeff
Etherington, Bill
Featherstone, Lynne
Fisher, Mark
Fitzpatrick, Jim
Flint, rh Caroline
Flynn, Paul
Follett, Barbara
Foster, Mr. Don
Foster, Mr. Michael *(Worcester)*
Francis, Dr. Hywel
Gapes, Mike
Garnier, Mr. Edward
George, Andrew
Gerrard, Mr. Neil
Gibson, Dr. Ian
Gidley, Sandra
Gilroy, Linda
Godsiff, Mr. Roger
Goldsworthy, Julia
Goodman, Helen
Griffith, Nia
Griffiths, Nigel
Hain, rh Mr. Peter

Hall, Patrick
Hamilton, Mr. David
Hamilton, Mr. Fabian
Hancock, Mr. Mike
Hanson, rh Mr. David
Harman, rh Ms Harriet
Harris, Dr. Evan
Harvey, Nick
Havard, Mr. Dai
Healey, John
Heathcoat-Amory, rh
 Mr. David
Hemming, John
Henderson, Mr. Doug
Hepburn, Mr. Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, rh Keith
Hodge, rh Margaret
Hodgson, Mrs. Sharon
Hoey, Kate
Hogg, rh Mr. Douglas
Holmes, Paul
Hope, Phil
Hopkins, Kelvin
Horwood, Martin
Hosie, Stewart
Howarth, David
Howarth, rh Mr. George
Howells, Dr. Kim
Hughes, rh Beverley
Huhne, Chris
Humble, Mrs. Joan
Hunter, Mark
Hurd, Mr. Nick
Hutton, rh Mr. John
Iddon, Dr. Brian
Illsley, Mr. Eric
Ingram, rh Mr. Adam
Jackson, Glenda
James, Mrs. Siân C.
Jenkins, Mr. Brian
Johnson, rh Alan
Johnson, Ms Diana R.
Jones, Mr. Kevan
Jones, Lynne
Jones, Mr. Martyn
Jowell, rh Tessa
Joyce, Mr. Eric
Keeble, Ms Sally
Keeley, Barbara
Keen, Ann
Keetch, Mr. Paul
Kemp, Mr. Fraser
Key, Robert
Khan, Mr. Sadiq
Kidney, Mr. David
Kirkbride, Miss Julie
Knight, rh Mr. Greg
Knight, Jim
Kramer, Susan
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lait, Mrs. Jacqui
Lamb, Norman
Lammy, Mr. David
Lazarowicz, Mark
Leech, Mr. John
Lepper, David
Levitt, Tom
Linton, Martin
Llwyd, Mr. Elfyn
Love, Mr. Andrew
Lucas, Ian
Mackay, rh Mr. Andrew
Mactaggart, Fiona
Mallaber, Judy
Mann, John
Maples, Mr. John
Marris, Rob
Martlew, Mr. Eric
McCafferty, Chris
McCarthy, Kerry
McCarthy-Fry, Sarah
McDonnell, John
McFadden, Mr. Pat
McIntosh, Miss Anne
McKechin, Ann
McNulty, rh Mr. Tony
Meacher, rh Mr. Michael
Meale, Mr. Alan
Mercer, Patrick
Merron, Gillian
Milburn, rh Mr. Alan
Miliband, rh Edward
Miller, Andrew
Mitchell, Mr. Austin
Moffat, Anne
Moffatt, Laura
Mole, Chris
Moon, Mrs. Madeleine
Moore, Mr. Michael
Moran, Margaret
Morden, Jessica
Morgan, Julie
Mountford, Kali
Mullin, Mr. Chris
Munn, Meg
Murphy, Mr. Denis
Naysmith, Dr. Doug
Norris, Dan
O'Hara, Mr. Edward
Öpik, Lembit
Osborne, Mr. George
Osborne, Sandra
Palmer, Dr. Nick
Pearson, Ian
Penrose, John
Plaskitt, Mr. James
Prentice, Mr. Gordon
Prescott, rh Mr. John
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Mr. Ken
Purnell, rh James
Rammell, Bill
Raynsford, rh Mr. Nick
Reed, Mr. Jamie
Reid, Mr. Alan
Rennie, Willie
Rifkind, rh Sir Malcolm
Riordan, Mrs. Linda
Robertson, Angus
Robertson, John
Robinson, Mr. Geoffrey
Ruddock, Joan
Russell, Christine
Ryan, rh Joan
Salter, Martin
Seabeck, Alison
Shaw, Jonathan
Sheerman, Mr. Barry
Sheridan, Jim
Short, rh Clare
Simmonds, Mark
Simon, Mr. Siôn
Simpson, Alan
Singh, Mr. Marsha
Skinner, Mr. Dennis
Slaughter, Mr. Andy
Smith, rh Mr. Andrew
Smith, Angela E. *(Basildon)*
Smith, rh Jacqui
Smith, Sir Robert
Snelgrove, Anne
Soulsby, Sir Peter
Southworth, Helen
Spellar, rh Mr. John
Stanley, rh Sir John
Starkey, Dr. Phyllis
Stewart, Ian
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Straw, rh Mr. Jack
Swinson, Jo
Swire, Mr. Hugo
Tami, Mark
Taylor, Ms Dari
Taylor, Matthew
Taylor, Dr. Richard
Thomas, Mr. Gareth
Thornberry, Emily
Thurso, John
Timms, rh Mr. Stephen
Tipping, Paddy
Todd, Mr. Mark
Tredinnick, David
Trickett, Jon
Truswell, Mr. Paul
Turner, Dr. Desmond
Turner, Mr. Neil
Tyrie, Mr. Andrew
Ussher, Kitty
Viggers, Peter
Villiers, Mrs. Theresa
Vis, Dr. Rudi
Walley, Joan
Waltho, Lynda
Webb, Steve
Whitehead, Dr. Alan
Wicks, Malcolm
Wiggin, Bill
Williams, rh Mr. Alan
Williams, Mrs. Betty
Williams, Hywel
Williams, Mark
Williams, Stephen
Willis, Mr. Phil
Willott, Jenny
Wills, Mr. Michael
Wilson, Phil
Winnick, Mr. David
Winterton, rh Ms Rosie
Wishart, Pete
Wood, Mike
Woolas, Mr. Phil
Wright, Mr. Anthony
Wright, David
Wright, Mr. Iain
Wright, Dr. Tony
Young, rh Sir George

Tellers for the Noes:
Ms Angela C. Smith and
Tony Lloyd

Question accordingly negatived.

New Clause 8

FOETAL PHYSICAL OR MENTAL ABNORMALITIES: INFORMATION AND COUNSELLING

'After section 1 of the Abortion Act 1967 (c. 87) (Medical termination of pregnancy) insert—

"1A (1) If tests of a foetus reveal that there is a substantial risk that if the child were born it would suffer from such physical or mental abnormalities as to be seriously handicapped, a registered medical practitioner or a suitably qualified health professional expeditiously shall provide the pregnant woman with—

(a) current, scientific information in a written form concerning:

(i) the life expectancy of;

(ii) the expected intellectual and functional development of; and

(iii) the treatment options for;

a foetus diagnosed with, or a child born with, the physical or mental abnormalities identified as a risk by those tests,

(b) contact details for, where available, supportive service providers, including telephone help lines specific to the physical or mental abnormalities identified as a risk by those tests, and

(c) the offer of a suitable opportunity to receive relevant counselling and such other information as they deem proper.

(2) If, subsequent to the receipt of test results referred to under subsection (1), the pregnant woman notifies a registered medical practitioner that she is considering terminating the pregnancy,

either wholly or partly as a result of those test results, then the termination must not take place until the information and offer set out in subsections (1)(a) to (c) have been provided.'.—*[Dr. Palmer.]*

Brought up, and read the First time.

Question put, That the clause be added to the Bill:—

The Committee divided: Ayes 173, Noes 309.

Division No. 202] **[10.51 pm**

AYES

Alexander, Danny
Amess, Mr. David
Ancram, rh Mr. Michael
Arbuthnot, rh Mr. James
Bacon, Mr. Richard
Barrett, John
Battle, rh John
Bell, Sir Stuart
Bellingham, Mr. Henry
Benton, Mr. Joe
Benyon, Mr. Richard
Bone, Mr. Peter
Bottomley, Peter
Brady, Mr. Graham
Brazier, Mr. Julian
Breed, Mr. Colin
Brokenshire, James
Brooke, Annette
Browne, rh Des
Browning, Angela
Burns, Mr. Simon
Burrowes, Mr. David
Burstow, Mr. Paul
Burt, Alistair
Burt, Lorely
Campbell, Mr. Gregory
Campbell, Mr. Ronnie
Carswell, Mr. Douglas
Cawsey, Mr. Ian
Chope, Mr. Christopher
Clark, Greg
Clarke, rh Mr. Tom
Clegg, rh Mr. Nick
Connarty, Michael
Conway, Derek
Cormack, Sir Patrick
Cox, Mr. Geoffrey
Crabb, Mr. Stephen
Crausby, Mr. David
Cummings, John
Cunningham, Tony
Davies, David T.C.
(Monmouth)
Dodds, Mr. Nigel
Dorries, Mrs. Nadine
Drew, Mr. David
Duddridge, James
Durkan, Mark
Evans, Mr. Nigel
Evennett, Mr. David
Fallon, Mr. Michael
Field, rh Mr. Frank
Field, Mr. Mark
Foster, Michael Jabez
(Hastings and Rye)
Fox, Dr. Liam
George, Andrew
Gidley, Sandra
Goggins, Paul
Goldsworthy, Julia
Goodman, Mr. Paul
Goodwill, Mr. Robert
Grayling, Chris
Grieve, Mr. Dominic
Gummer, rh Mr. John
Hands, Mr. Greg
Harper, Mr. Mark
Hayes, Mr. John
Hemming, John
Hendry, Charles
Herbert, Nick
Hermon, Lady
Hillier, Meg
Hoban, Mr. Mark
Hoey, Kate
Hollobone, Mr. Philip
Holloway, Mr. Adam
Horwood, Martin
Hoyle, Mr. Lindsay
Hughes, Simon
Hunt, Mr. Jeremy
Irranca-Davies, Huw
Jackson, Mr. Stewart
Jones, Mr. David
Jones, Helen
Kawczynski, Daniel
Kelly, rh Ruth
Laws, Mr. David
Lewis, Dr. Julian
Lidington, Mr. David
Lilley, rh Mr. Peter
Linton, Martin
Mackinlay, Andrew
Maclean, rh David
MacNeil, Mr. Angus
Main, Anne
Malik, Mr. Shahid
Malins, Mr. Humfrey
Marsden, Mr. Gordon
Mates, rh Mr. Michael
May, rh Mrs. Theresa
McAvoy, rh Mr. Thomas
McCrea, Dr. William
McDonnell, Dr. Alasdair
McFall, rh John
McGovern, Mr. Jim
McGrady, Mr. Eddie
McLoughlin, rh Mr. Patrick
Meacher, rh Mr. Michael
Mercer, Patrick
Miller, Mrs. Maria
Moss, Mr. Malcolm
Mulholland, Greg
Mundell, David
Murphy, rh Mr. Paul
Murrison, Dr. Andrew
Neill, Robert
O'Brien, Mr. Mike
Öpik, Lembit
Owen, Albert
Paice, Mr. James
Palmer, Dr. Nick
Paterson, Mr. Owen
Pickles, Mr. Eric
Pound, Stephen
Pritchard, Mark
Pugh, Dr. John
Randall, Mr. John
Redwood, rh Mr. John
Reed, Mr. Andy
Reed, Mr. Jamie
Reid, rh John
Rifkind, rh Sir Malcolm
Robertson, Hugh
Robertson, Mr. Laurence
Robinson, Mrs. Iris
Rogerson, Dan
Rowen, Paul
Roy, Mr. Frank
Russell, Bob
Scott, Mr. Lee
Shapps, Grant
Shepherd, Mr. Richard
Simpson, David
Singh, Mr. Marsha
Smith, rh Mr. Andrew
Smith, Geraldine
Spicer, Sir Michael
Steen, Mr. Anthony
Streeter, Mr. Gary
Stuart, Mr. Graham
Stunell, Andrew
Swayne, Mr. Desmond
Syms, Mr. Robert
Taylor, David
Teather, Sarah
Thurso, John
Tipping, Paddy
Touhig, rh Mr. Don
Turner, Mr. Andrew
Walker, Mr. Charles
Wallace, Mr. Ben
Ward, Claire
Watkinson, Angela
Webb, Steve
Weir, Mr. Mike
Widdecombe, rh Miss Ann
Williams, Mark
Willott, Jenny
Wills, Mr. Michael
Wilson, Mr. Rob
Wilson, Sammy
Wood, Mike
Wright, Jeremy
Younger-Ross, Richard

Tellers for the Ayes:
Andrew Selous and
Mrs. Claire Curtis-Thomas

NOES

Abbott, Ms Diane
Ainsworth, rh Mr. Bob
Alexander, rh Mr. Douglas
Armstrong, rh Hilary
Austin, John
Bailey, Mr. Adrian
Baker, Norman
Baldry, Tony
Balls, rh Ed
Banks, Gordon
Barlow, Ms Celia
Barron, rh Mr. Kevin
Bayley, Hugh
Beckett, rh Margaret
Begg, Miss Anne
Benn, rh Hilary
Bercow, John
Beresford, Sir Paul
Berry, Roger
Betts, Mr. Clive
Blackman, Liz
Blackman-Woods, Dr. Roberta
Blears, rh Hazel
Blizzard, Mr. Bob
Blunkett, rh Mr. David
Blunt, Mr. Crispin
Bradshaw, Mr. Ben
Brake, Tom
Brennan, Kevin
Brown, rh Mr. Gordon
Brown, Lyn
Brown, rh Mr. Nicholas
Brown, Mr. Russell
Bruce, rh Malcolm
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, rh Andy
Butler, Ms Dawn
Byers, rh Mr. Stephen
Byrne, Mr. Liam
Caborn, rh Mr. Richard
Campbell, Mr. Alan
Campbell, rh Sir Menzies
Carmichael, Mr. Alistair
Challen, Colin
Chaytor, Mr. David
Clapham, Mr. Michael
Clark, Ms Katy
Clark, Paul
Clarke, rh Mr. Charles
Clelland, Mr. David
Clifton-Brown, Mr. Geoffrey
Coffey, Ann
Cohen, Harry
Cooper, rh Yvette
Corbyn, Jeremy
Cousins, Jim
Creagh, Mary
Cruddas, Jon
Cryer, Mrs. Ann
Cunningham, Mr. Jim
Curry, rh Mr. David
Darling, rh Mr. Alistair
Davey, Mr. Edward
David, Mr. Wayne
Davidson, Mr. Ian
Davies, Mr. Dai
Davies, Mr. Quentin
Dean, Mrs. Janet
Denham, rh Mr. John
Devine, Mr. Jim
Dhanda, Mr. Parmjit
Dismore, Mr. Andrew
Dobson, rh Frank
Donohoe, Mr. Brian H.
Doran, Mr. Frank
Dorrell, rh Mr. Stephen
Dowd, Jim

Dunne, Mr. Philip
Eagle, Angela
Eagle, Maria
Efford, Clive
Ellman, Mrs. Louise
Engel, Natascha
Ennis, Jeff
Etherington, Bill
Featherstone, Lynne
Fisher, Mark
Fitzpatrick, Jim
Flint, rh Caroline
Flynn, Paul
Follett, Barbara
Foster, Mr. Don
Foster, Mr. Michael *(Worcester)*
Francis, Dr. Hywel
Gapes, Mike
Garnier, Mr. Edward
Gerrard, Mr. Neil
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Mr. Roger
Goodman, Helen
Greening, Justine
Griffith, Nia
Griffiths, Nigel
Hain, rh Mr. Peter
Hall, Patrick
Hamilton, Mr. David
Hamilton, Mr. Fabian
Hancock, Mr. Mike
Hanson, rh Mr. David
Harman, rh Ms Harriet
Harris, Dr. Evan
Harvey, Nick
Havard, Mr. Dai
Healey, John
Heathcoat-Amory, rh Mr. David
Henderson, Mr. Doug
Hepburn, Mr. Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, rh Keith
Hodge, rh Margaret
Hodgson, Mrs. Sharon
Hogg, rh Mr. Douglas
Holmes, Paul
Hope, Phil
Hopkins, Kelvin
Hosie, Stewart
Howard, rh Mr. Michael
Howarth, David
Howarth, rh Mr. George
Howells, Dr. Kim
Hughes, rh Beverley
Huhne, Chris
Humble, Mrs. Joan
Hunter, Mark
Hurd, Mr. Nick
Hutton, rh Mr. John
Iddon, Dr. Brian
Illsley, Mr. Eric
Ingram, rh Mr. Adam
Jackson, Glenda
James, Mrs. Siân C.
Jenkins, Mr. Brian
Johnson, rh Alan
Johnson, Ms Diana R.
Jones, Mr. Kevan
Jones, Lynne
Jones, Mr. Martyn
Jowell, rh Tessa
Joyce, Mr. Eric
Keeble, Ms Sally
Keeley, Barbara
Keen, Ann
Keetch, Mr. Paul
Kemp, Mr. Fraser
Kennedy, rh Jane
Key, Robert
Khan, Mr. Sadiq
Kidney, Mr. David
Kirkbride, Miss Julie
Knight, rh Mr. Greg
Knight, Jim
Kramer, Susan
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lait, Mrs. Jacqui
Lamb, Norman
Lammy, Mr. David
Leech, Mr. John
Lepper, David
Levitt, Tom
Liddell-Grainger, Mr. Ian
Llwyd, Mr. Elfyn
Love, Mr. Andrew
Lucas, Ian
Mackay, rh Mr. Andrew
MacShane, rh Mr. Denis
Mactaggart, Fiona
Mallaber, Judy
Mann, John
Maples, Mr. John
Marris, Rob
Martlew, Mr. Eric
McCafferty, Chris
McCarthy, Kerry
McCarthy-Fry, Sarah
McDonnell, John
McFadden, Mr. Pat
McIntosh, Miss Anne
McIsaac, Shona
McKechin, Ann
McNulty, rh Mr. Tony
Meale, Mr. Alan
Merron, Gillian
Milburn, rh Mr. Alan
Miliband, rh Edward
Miller, Andrew
Mitchell, Mr. Austin
Moffat, Anne
Moffatt, Laura
Mole, Chris
Moon, Mrs. Madeleine
Moore, Mr. Michael
Moran, Margaret
Morden, Jessica
Morgan, Julie
Mountford, Kali
Mullin, Mr. Chris
Munn, Meg
Murphy, Mr. Denis
Naysmith, Dr. Doug
Norris, Dan
O'Brien, Mr. Stephen
O'Hara, Mr. Edward
Osborne, Mr. George
Osborne, Sandra
Pearson, Ian
Pelling, Mr. Andrew
Penning, Mike
Penrose, John
Plaskitt, Mr. James
Pope, Mr. Greg
Prentice, Bridget
Prentice, Mr. Gordon
Prescott, rh Mr. John
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Mr. Ken
Purnell, rh James
Rammell, Bill
Reid, Mr. Alan
Rennie, Willie
Riordan, Mrs. Linda
Robertson, Angus
Robertson, John
Robinson, Mr. Geoffrey
Ruddock, Joan
Russell, Christine
Ryan, rh Joan
Salter, Martin
Shaw, Jonathan
Sheerman, Mr. Barry
Sheridan, Jim
Short, rh Clare
Simmonds, Mark
Simon, Mr. Siôn
Simpson, Alan
Skinner, Mr. Dennis
Slaughter, Mr. Andy
Smith, Angela E. *(Basildon)*
Smith, rh Jacqui
Smith, Sir Robert
Snelgrove, Anne
Soulsby, Sir Peter
Southworth, Helen
Spellar, rh Mr. John
Stanley, rh Sir John
Starkey, Dr. Phyllis
Stewart, Ian
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Straw, rh Mr. Jack
Swinson, Jo
Tami, Mark
Taylor, Ms Dari
Taylor, Matthew
Taylor, Dr. Richard
Thomas, Mr. Gareth
Thornberry, Emily
Todd, Mr. Mark
Tredinnick, David
Trickett, Jon
Truswell, Mr. Paul
Turner, Dr. Desmond
Turner, Mr. Neil
Tyrie, Mr. Andrew
Ussher, Kitty
Vaizey, Mr. Edward
Vara, Mr. Shailesh
Viggers, Peter
Villiers, Mrs. Theresa
Vis, Dr Rudi
Walley, Joan
Walter, Mr. Robert
Waltho, Lynda
Wareing, Mr. Robert N.
Whitehead, Dr. Alan
Wicks, Malcolm
Wiggin, Bill
Williams, rh Mr. Alan
Williams, Mrs. Betty
Williams, Hywel
Williams, Mr. Roger
Williams, Stephen
Willis, Mr. Phil
Wilson, Phil
Winnick, Mr. David
Winterton, rh Ms Rosie
Wishart, Pete
Woolas, Mr. Phil
Wright, Mr. Anthony
Wright, David
Wright, Mr. Iain
Wright, Dr. Tony
Young, rh Sir George

Tellers for the Noes:
Ms Angela C. Smith and
Tony Lloyd

Question accordingly negatived.

New Clause 9

AMENDMENT OF THE LAW RELATING TO ABORTION
(No. 7)

'In section 1(1)(a) of the Abortion Act 1967 (c. 87) (medical termination of pregnancy), for "twenty-fourth week" substitute "twenty-second week".'.—*[Richard Ottaway.]*

Brought up, and read the First time.

Question put, That the clause be added to the Bill:—

The Committee divided: Ayes 233, Noes 304.

Division No. 203] [11.03 pm

AYES

Ainsworth, Mr. Peter
Ancram, rh Mr. Michael
Arbuthnot, rh Mr. James
Atkinson, Mr. Peter
Bacon, Mr. Richard
Baker, Norman
Barker, Gregory
Barlow, Ms Celia
Barrett, John
Battle, rh John
Bell, Sir Stuart
Bellingham, Mr. Henry

Benton, Mr. Joe
Benyon, Mr. Richard
Binley, Mr. Brian
Bone, Mr. Peter
Borrow, Mr. David S.
Bottomley, Peter
Brady, Mr. Graham
Brazier, Mr. Julian
Breed, Mr. Colin
Brokenshire, James
Brooke, Annette
Browne, rh Des
Browning, Angela
Burns, Mr. Simon
Burrowes, Mr. David
Burt, Alistair
Burt, Lorely
Cameron, rh Mr. David
Campbell, Mr. Gregory
Campbell, Mr. Ronnie
Carswell, Mr. Douglas
Cash, Mr. William
Chope, Mr. Christopher
Clappison, Mr. James
Clark, Greg
Clarke, rh Mr. Tom
Clifton-Brown, Mr. Geoffrey
Conway, Derek
Cormack, Sir Patrick
Cox, Mr. Geoffrey
Crabb, Mr. Stephen
Crausby, Mr. David
Cummings, John
Cunningham, Tony
Curtis-Thomas, Mrs. Claire
Davies, David T.C.
(Monmouth)
Davis, rh David *(Haltemprice and Howden)*
Dhanda, Mr. Parmjit
Djanogly, Mr. Jonathan
Dodds, Mr. Nigel
Dorries, Mrs. Nadine
Drew, Mr. David
Duncan Smith, rh Mr. Iain
Durkan, Mark
Ellwood, Mr. Tobias
Evans, Mr. Nigel
Evennett, Mr. David
Fallon, Mr. Michael
Field, rh Mr. Frank
Field, Mr. Mark
Fitzpatrick, Jim
Foster, Michael Jabez
(Hastings and Rye)
Fox, Dr. Liam
Francois, Mr. Mark
Gauke, Mr. David
Gillan, Mrs. Cheryl
Goggins, Paul
Goodman, Mr. Paul
Goodwill, Mr. Robert
Gray, Mr. James
Grayling, Chris
Green, Damian
Greening, Justine
Grieve, Mr. Dominic
Grogan, Mr. John
Gummer, rh Mr. John
Gwynne, Andrew
Hague, rh Mr. William
Hamilton, Mr. David
Hammond, Mr. Philip
Hammond, Stephen
Hancock, Mr. Mike
Hands, Mr. Greg
Harper, Mr. Mark
Harris, Mr. Tom
Hayes, Mr. John
Heald, Mr. Oliver
Heathcoat-Amory, rh Mr. David
Hendry, Charles
Herbert, Nick
Hermon, Lady
Hillier, Meg
Hoban, Mr. Mark
Hogg, rh Mr. Douglas
Hollobone, Mr. Philip
Holloway, Mr. Adam
Horam, Mr. John
Horwood, Martin
Howard, rh Mr. Michael
Howarth, Mr. Gerald
Hoyle, Mr. Lindsay
Hughes, Simon
Hunt, Mr. Jeremy
Hunter, Mark
Hurd, Mr. Nick
Irranca-Davies, Huw
Jack, rh Mr. Michael
Jackson, Mr. Stewart
Jones, Mr. David
Jones, Helen
Kawczynski, Daniel
Kelly, rh Ruth
Kilfoyle, Mr. Peter
Lansley, Mr. Andrew
Laws, Mr. David
Leigh, Mr. Edward
Letwin, rh Mr. Oliver
Lewis, Mr. Ivan
Lewis, Dr. Julian
Lidington, Mr. David
Lilley, rh Mr. Peter
Linton, Martin
Loughton, Tim
Mackinlay, Andrew
Maclean, rh David
MacNeil, Mr. Angus
Main, Anne
Malins, Mr. Humfrey
Marsden, Mr. Gordon
Marlow, Mr. Eric
Mates, rh Mr. Michael
Maude, rh Mr. Francis
May, rh Mrs. Theresa
McAvoy, rh Mr. Thomas
McCrea, Dr. William
McDonnell, Dr. Alasdair
McFall, rh John
McGovern, Mr. Jim
McGrady, Mr. Eddie
McLoughlin, rh Mr. Patrick
Miller, Mrs. Maria
Milton, Anne
Moss, Mr. Malcolm
Mulholland, Greg
Mullin, Mr. Chris
Mundell, David
Murphy, rh Mr. Paul
Murrison, Dr. Andrew
Neill, Robert
Newmark, Mr. Brooks
O'Brien, Mr. Mike
O'Brien, Mr. Stephen
Ottaway, Richard
Owen, Albert
Paice, Mr. James
Palmer, Dr. Nick
Paterson, Mr. Owen
Pelling, Mr. Andrew
Penning, Mike
Pickles, Mr. Eric
Plaskitt, Mr. James
Pope, Mr. Greg
Pound, Stephen
Prentice, Bridget
Pritchard, Mark
Pugh, Dr. John
Randall, Mr. John
Redwood, rh Mr. John
Reed, Mr. Andy
Reid, Mr. Alan
Reid, rh John
Rifkind, rh Sir Malcolm
Robathan, Mr. Andrew
Robertson, Hugh
Robertson, Mr. Laurence
Robinson, Mrs. Iris
Rogerson, Dan
Rooney, Mr. Terry
Rowen, Paul
Roy, Mr. Frank
Ruane, Chris
Russell, Bob
Salmond, rh Mr. Alex
Selous, Andrew
Shapps, Grant
Shepherd, Mr. Richard
Simmonds, Mark
Simpson, David
Simpson, Mr. Keith
Smith, Geraldine
Soames, Mr. Nicholas
Spelman, Mrs. Caroline
Spicer, Sir Michael
Spring, Mr. Richard
Stanley, rh Sir John
Steen, Mr. Anthony
Streeter, Mr. Gary
Stuart, Mr. Graham
Stunell, Andrew
Sutcliffe, Mr. Gerry
Swayne, Mr. Desmond
Swire, Mr. Hugo
Syms, Mr. Robert
Taylor, David
Teather, Sarah
Tipping, Paddy
Touhig, rh Mr. Don
Turner, Mr. Andrew
Twigg, Derek
Ussher, Kitty
Vaizey, Mr. Edward
Vara, Mr. Shailesh
Vaz, rh Keith
Walker, Mr. Charles
Wallace, Mr. Ben
Walter, Mr. Robert
Ward, Claire
Wareing, Mr. Robert N.
Waterson, Mr. Nigel
Watkinson, Angela
Webb, Steve
Weir, Mr. Mike
Widdecombe, rh Miss Ann
Williams, Mark
Williams, Mr. Roger
Willis, Mr. Phil
Wilson, Mr. Rob
Wilson, Sammy
Wright, Mr. Iain
Wright, Jeremy
Younger-Ross, Richard

Tellers for the Ayes:
Mr. Lee Scott and
Mr. David Amess

NOES

Abbott, Ms Diane
Ainsworth, rh Mr. Bob
Alexander, Danny
Alexander, rh Mr. Douglas
Armstrong, rh Hilary
Austin, John
Bailey, Mr. Adrian
Baldry, Tony
Balls, rh Ed
Banks, Gordon
Baron, Mr. John
Barron, rh Mr. Kevin
Bayley, Hugh
Beckett, rh Margaret
Begg, Miss Anne
Benn, rh Hilary
Bercow, John
Beresford, Sir Paul
Berry, Roger
Betts, Mr. Clive
Blackman, Liz
Blackman-Woods, Dr. Roberta
Blears, rh Hazel
Blizzard, Mr. Bob
Blunkett, rh Mr. David
Blunt, Mr. Crispin
Bradshaw, Mr. Ben
Brake, Tom
Brennan, Kevin
Brown, rh Mr. Gordon
Brown, Lyn
Brown, rh Mr. Nicholas
Brown, Mr. Russell
Bruce, rh Malcolm
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, rh Andy
Burstow, Mr. Paul
Butler, Ms Dawn
Byers, rh Mr. Stephen
Caborn, rh Mr. Richard
Campbell, Mr. Alan
Campbell, rh Sir Menzies
Carmichael, Mr. Alistair
Cawsey, Mr. Ian
Challen, Colin
Chaytor, Mr. David
Clapham, Mr. Michael
Clark, Ms Katy
Clark, Paul

Clarke, rh Mr. Charles
Clegg, rh Mr. Nick
Clelland, Mr. David
Coaker, Mr. Vernon
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cooper, rh Yvette
Corbyn, Jeremy
Cousins, Jim
Creagh, Mary
Cruddas, Jon
Cryer, Mrs. Ann
Cunningham, Mr. Jim
Curry, rh Mr. David
Darling, rh Mr. Alistair
Davey, Mr. Edward
David, Mr. Wayne
Davidson, Mr. Ian
Davies, Mr. Dai
Davies, Mr. Quentin
Dean, Mrs. Janet
Denham, rh Mr. John
Devine, Mr. Jim
Dismore, Mr. Andrew
Dobson, rh Frank
Donohoe, Mr. Brian H.
Doran, Mr. Frank
Dorrell, rh Mr. Stephen
Dowd, Jim
Duddridge, James
Dunne, Mr. Philip
Eagle, Angela
Eagle, Maria
Efford, Clive
Ellman, Mrs. Louise
Engel, Natascha
Ennis, Jeff
Etherington, Bill
Featherstone, Lynne
Fisher, Mark
Flint, rh Caroline
Flynn, Paul
Follett, Barbara
Foster, Mr. Don
Foster, Mr. Michael
(Worcester)
Francis, Dr. Hywel
Gapes, Mike
Garnier, Mr. Edward
George, Andrew
Gerrard, Mr. Neil
Gibson, Dr. Ian
Gidley, Sandra
Gilroy, Linda
Godsiff, Mr. Roger
Goldsworthy, Julia
Goodman, Helen
Griffith, Nia
Griffiths, Nigel
Hain, rh Mr. Peter
Hall, Patrick
Hamilton, Mr. Fabian
Hanson, rh Mr. David
Harman, rh Ms Harriet
Harris, Dr. Evan
Harvey, Nick
Havard, Mr. Dai
Healey, John
Hemming, John
Henderson, Mr. Doug
Hepburn, Mr. Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, rh Keith
Hodge, rh Margaret
Hodgson, Mrs. Sharon
Hoey, Kate
Holmes, Paul
Hope, Phil
Hopkins, Kelvin
Hosie, Stewart
Howarth, David
Howarth, rh Mr. George
Howells, Dr. Kim
Hughes, rh Beverley
Huhne, Chris
Humble, Mrs. Joan
Hutton, rh Mr. John
Iddon, Dr. Brian
Illsley, Mr. Eric
Ingram, rh Mr. Adam
Jackson, Glenda
James, Mrs. Siân C.
Jenkins, Mr. Brian
Johnson, rh Alan
Johnson, Ms Diana R.
Jones, Mr. Kevan
Jones, Lynne
Jones, Mr. Martyn
Jowell, rh Tessa
Joyce, Mr. Eric
Keeble, Ms Sally
Keeley, Barbara
Keen, Ann
Keetch, Mr. Paul
Kemp, Mr. Fraser
Kennedy, rh Jane
Key, Robert
Khan, Mr. Sadiq
Kidney, Mr. David
Kirkbride, Miss Julie
Knight, rh Mr. Greg
Knight, Jim
Kramer, Susan
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lait, Mrs. Jacqui
Lamb, Norman
Lammy, Mr. David
Lazarowicz, Mark
Leech, Mr. John
Lepper, David
Levitt, Tom
Liddell-Grainger, Mr. Ian
Llwyd, Mr. Elfyn
Love, Mr. Andrew
Lucas, Ian
Mackay, rh Mr. Andrew
MacShane, rh Mr. Denis
Mactaggart, Fiona
Malik, Mr. Shahid
Mallaber, Judy
Mann, John
Maples, Mr. John
Marris, Rob
McCafferty, Chris
McCarthy, Kerry
McCarthy-Fry, Sarah
McDonnell, John
McFadden, Mr. Pat
McIntosh, Miss Anne
McIsaac, Shona
McKechin, Ann
McNulty, rh Mr. Tony
Meacher, rh Mr. Michael
Meale, Mr. Alan
Mercer, Patrick
Merron, Gillian
Milburn, rh Mr. Alan
Miliband, rh Edward
Miller, Andrew
Mitchell, Mr. Austin
Moffat, Anne
Moffatt, Laura
Mole, Chris
Moon, Mrs. Madeleine
Moore, Mr. Michael
Moran, Margaret
Morden, Jessica
Morgan, Julie
Mountford, Kali
Munn, Meg
Murphy, Mr. Denis
Naysmith, Dr. Doug
Norris, Dan
O'Hara, Mr. Edward
Öpik, Lembit
Osborne, Mr. George
Osborne, Sandra
Pearson, Ian
Penrose, John
Prentice, Mr. Gordon
Prescott, rh Mr. John
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Mr. Ken
Purnell, rh James
Rammell, Bill
Raynsford, rh Mr. Nick
Reed, Mr. Jamie
Rennie, Willie
Riordan, Mrs. Linda
Robertson, Angus
Robertson, John
Robinson, Mr. Geoffrey
Ruddock, Joan
Russell, Christine
Ryan, rh Joan
Salter, Martin
Seabeck, Alison
Shaw, Jonathan
Sheerman, Mr. Barry
Sheridan, Jim
Short, rh Clare
Simon, Mr. Siôn
Simpson, Alan
Singh, Mr. Marsha
Skinner, Mr. Dennis
Slaughter, Mr. Andy
Smith, rh Mr. Andrew
Smith, Angela E. *(Basildon)*
Smith, rh Jacqui
Smith, Sir Robert
Snelgrove, Anne
Soulsby, Sir Peter
Southworth, Helen
Spellar, rh Mr. John
Starkey, Dr. Phyllis
Stewart, Ian
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Straw, rh Mr. Jack
Swinson, Jo
Tami, Mark
Taylor, Ms Dari
Taylor, Matthew
Taylor, Dr. Richard
Thomas, Mr. Gareth
Thornberry, Emily
Thurso, John
Timms, rh Mr. Stephen
Todd, Mr. Mark
Tredinnick, David
Trickett, Jon
Truswell, Mr. Paul
Turner, Dr. Desmond
Turner, Mr. Neil
Tyrie, Mr. Andrew
Viggers, Peter
Villiers, Mrs. Theresa
Vis, Dr. Rudi
Walley, Joan
Waltho, Lynda
Whitehead, Dr. Alan
Wicks, Malcolm
Wiggin, Bill
Williams, rh Mr. Alan
Williams, Mrs. Betty
Williams, Hywel
Williams, Stephen
Willott, Jenny
Wills, Mr. Michael
Wilson, Phil
Winnick, Mr. David
Winterton, rh Ms Rosie
Wishart, Pete
Wood, Mike
Woolas, Mr. Phil
Wright, Mr. Anthony
Wright, David
Wright, Dr. Tony
Young, rh Sir George

Tellers for the Noes:
Tony Lloyd and
Ms Angela C. Smith

Question accordingly negatived.

Bill (Clauses 4, 11, 14 and 23 and Schedule 2) reported, with amendments; to lie upon the Table.

DELEGATED LEGISLATION

SOCIAL SECURITY BENEFITS

Ordered,

That the Social Security Benefits Up-rating Regulations 2008 (S.I., 2008, No. 667), dated 9th March, be referred to a Delegated Legislation Committee.—*[Tony Cunningham.]*

NORTHERN IRELAND GRAND COMMITTEE

Ordered,,

That—

(1) the matter of MASRAM (multi-agency sex offender risk assessment and management arrangements) and the management of the risk posed by sex offenders living in the community in Northern Ireland be referred to the Northern Ireland Grand Committee;

(2) the Committee shall meet at Westminster on Tuesday 17th June at half-past four o'clock and

(3) at that sitting—

(a) the Committee shall take questions under Standing Order No. 110 (Northern Ireland Grand Committee (questions for oral answer)), and shall then consider the matter referred to it under paragraph (1) above;

(b) the Chairman shall interrupt proceedings not later than two and a half hours after the commencement of proceedings on the matter referred to the Committee; and

(c) at the conclusion of those proceedings, a motion for the adjournment of the Committee may be made by a Minister of the Crown, pursuant to paragraph (5) of Standing Order No. 116 (Northern Ireland Grand Committee (sittings)).—*[Tony Cunningham.]*

PETITIONS

Post Office Closures (Cumbria)

11.17 pm

David Maclean (Penrith and The Border) (Con): I rise to present a petition on behalf of the supporters of Hayton post office in Penrith and The Border constituency. It has been signed by almost 500 people in the small village of Hayton—users of the post office and local villagers. The petitioners declare:

That Post Offices are a vital part of the social fabric of the local community and must be preserved; they note that the Government is continually reducing Post Office business which should and could continue to be done by Post Offices thus keeping them viable. The Petitioners believe that mobile Post Offices cannot be a substitute for the village shop or the Post Office, which is often the hub of social and community life and the centre of informal networking which binds a village together.

The Petitioners therefore request that the House of Commons urges the Secretary of State for Business, Enterprise and Regulatory Reform to instruct Post Office Ltd to retain Hayton Post Office in Penrith and The Border constituency.

And the Petitioners remain, etc.

[P000197]

Time Limit for Abortion

11.19 pm

Mr. Edward Leigh (Gainsborough) (Con): To the House of Commons: this petition is supported by some 40,000 people.

The Petition of those concerned about the potential changes to the time limit for abortion declares that 200,000 abortions a year in Britain is far too many.

The Petitioners therefore request that the House of Commons support amendments to the Abortion Act which will reduce substantially the 24-week upper time limit, end discriminatory abortion of the disabled up until birth, and provide balanced evidence-based information, independently of the abortion service, that gives women a properly informed choice, along with the offer of counselling; further requests that the House of Commons reject proposed amendments seeking to liberalise the abortion law further, such as ending the requirement for two doctors' signatures, allowing nurse-led medical abortion in GP surgeries with completion at home, barring pro-life doctors from seeing women with unplanned pregnancies, and extending the Abortion Act to Northern Ireland.

And the Petitioners remain, etc.

[P000198]

Military Radioactive Waste

Motion made, and Question proposed, That this House do now adjourn.—*[Tony Cunningham.]*

11.20 pm

Willie Rennie (Dunfermline and West Fife) (LD): I suppose I am still the new boy in the House; last week, when Mr. Speaker offered me an Adjournment debate this evening, I readily agreed—not realising that we would be starting at 11.20 in the evening, but I am still grateful for the opportunity to raise this important issue of military radioactive waste management.

In April 2007, the *Dunfermline Press,* my local newspaper reported a Ministry of Defence spokesman as saying:

> "The seven submarines stored currently at Rosyth Dockyard are very well maintained and monitored…They are in excellent condition and perfectly safe".

Just one year later, that same newspaper's front-page headline screamed:

> "'Graveyard' fear as sub's hull is holed".

It went on to describe the discovery of a fist-sized hole in the decommissioned nuclear submarine, HMS Revenge, one of the four SSBN—ship submersible ballistic nuclear—submarines currently stored at Rosyth dockyard in my constituency.

With a certain amount of comedy, I would say, the MOD spokesman attempted to reassure readers that there was little to worry about, as it was microbial action and not rust that had caused the hole. Speaking as a simple Fifer, I regard holes as holes and I am not really worried about how they are caused; the point is that they are holes. I find it difficult to accept, however, that in just a year, the submarine has gone from being in "excellent condition" , well maintained and monitored to having a fist-sized hole in it. I find that rather strange and concerning.

Rosyth dockyard has had a long association, stretching back to the '60s, with nuclear-powered submarines. In fact, Rosyth was involved at the very beginning of nuclear submarines, with HMS Dreadnought, Britain's first nuclear sub, which set sail from Rosyth for Singapore on a 30,000 mile sustained high-speed run a week before I was born in 1967. She had a major refit in the yard three years later. By 1984, the yard had developed an expertise in nuclear sub refits and was chosen as the sole location for refitting the fleet; two years later, extensive rebuilding commenced to facilitate its new role.

In 1993, however, that decision was cruelly reversed. We all know about the decision taken when Devonport was awarded the refit and refuelling arrangements for the Trident submarine fleet and other submarines. That was an attempt by the Conservative Government—I notice that no Conservative Members are present—to save Conservative seats in the south-west. I am glad to say that they failed miserably, as the Conservatives were routed in the region by both the Liberal Democrats and the Labour party.

Rosyth dockyard continues to have a role as the resting place for seven nuclear submarines: the four Polaris SSBNs, HMS Resolution, HMS Repulse, HMS Renown and HMS Revenge, and three SSNs, or ship submersible nuclear submarines, HMS Churchill, HMS Swiftsure and the original HMS Dreadnought. In fact, HMS Dreadnought has been resting in the non-tidal basin of Rosyth for 25 years. Its fuel rods have been removed and it is waiting for its final resting place. The total weight of all the decommissioned submarines in Rosyth is almost 6,000 tonnes. These days, the basin is quite a tranquil and peaceful place, just along from the Qinetiq base in the Rosyth dockyard, and it is now also home to a pair of nesting cormorants.

From the very beginning, Rosyth dockyard has had a close association with the nuclear submarine fleet, but I have to say that it is an association that, along with the disposal of the submarines themselves, we wish would come to an end.

Dumping had been common practice in the 1950s and 1960s, and in the 1970s the Ministry of Defence planned to do the same with nuclear submarines after they were defuelled. Opposition to that method grew in the 1970s after worries were expressed about environmental risks, but only after an intervention by the National Union of Seamen in 1982 did the MOD have to stop dumping intermediate-level waste at sea. Opposition was also growing in the United States, which found an alternative solution for its nuclear submarines. Then, in the 1980s, the MOD agreed to store the submarines temporarily at Devonport and Rosyth.

ISOLUS stands for "interim storage of laid-up submarines". The project defines its role thus:

> "Project ISOLUS is committed to the timely development and implementation of a solution for the dismantling of the UK's defuelled nuclear powered submarines which inspires public confidence, is safe, environmentally responsible, secure and cost-effective."

The current process for nuclear submarines is described as defuel, de-equip, and lay-up preparation, or DDLP. Defuelling involves the most radioactive material on board the submarines. The fuel is removed and transported by train to Sellafield in Cumbria, where it is stored. De-equipping involves removing equipment that is classified for security reasons, or which can be reused or disposed of. Lay-up preparation involves the submarine, which still contains the nuclear reactor compartment—which is similar in size to two double-decker buses—being prepared for long-storage afloat. So far all that has been done at Devonport and Rosyth, but in future defuelling will be carried out only at Devonport.

I want to explain why further delay in finding a final solution for the disposal of military nuclear waste is not an option, and why we need to be expeditious in seeking a programme to dismantle the 11 decommissioned nuclear submarines that we have in the United Kingdom. I know that more are coming onstream in the near future. The United Kingdom currently has 27 nuclear-powered submarines, of which 14 have left naval service and 11 have been defuelled. As I have said, seven are at Rosyth. The other four are at Devonport. The problem is that there is limited capacity for the storage of decommissioned nuclear submarines in the United Kingdom.

An MOD spokesman told the *Dunfermline Press*:

> "Our strategic capacity will run out by 2020 as more nuclear submarines are being decommissioned."

However, I understand that the position is far more urgent, and that capacity will run out by 2011, in only three years' time. It may be possible to squeeze in a few more years and squeeze out a bit more space, but that will only delay the inevitable need for a decision in the near future. It is vital that we do not delay any more, and for those capacity reasons we urgently need a solution for the decommissioned submarines.

It is clear that the safe storage of nuclear waste is no longer a technical issue. There is no requirement for the various studies to be set deadlines that are decades into the future. As far as I know there are no technical barriers to progress, and we therefore need to make progress quickly. I see no reason why we cannot make a decision within two years, and start the process soon after that. The dismantling of the 11 submarines that are currently decommissioned at Rosyth and Devonport could begin in the very near future, which is something that my constituents would greatly welcome.

The Americans have already dismantled 70 submarines, and have semi-buried the reactors in Hanford in Washington state. The French have also dismantled many of their submarines, using the same model as the United States and storing them at a high-tech facility in Cherbourg. Even the Russians, helped in part by the British Government, are dismantling their submarines. In fact, I received a letter from a Russian governor—which I think the hon. Member for Plymouth, Devonport (Alison Seabeck) also received—asking whether we would consider allowing the Russians to decommission our submarines. So the Russians are looking abroad for opportunities in what they regard as their expertise. It is my understanding that there is no technical reason why we have to wait any longer. I suggest that the only real reasons for further delay are purely political. That is not necessarily a bad thing. Politics has an important role to play, but it can present significant barriers. What the political process will allow us to do, however, is assess the pros and cons, so we can be open and transparent with the public about what the advantages and disadvantages would be. The second issue, therefore, is that technical barriers do not exist, so we should progress as soon as possible.

The third reason is the reactor cool-down period. After decommissioning, it is normal to allow 18 months to enable the reactor to cool down, but the Ministry of Defence policy is to wait for a further 30 to 60 years, as it believes it cannot reduce the volume, and therefore the risk, of intermediate-level waste in reactors. This would, perhaps, have the advantage of being timely for the new intermediate-level waste storage facility that the Government want to, but have so far failed to, provide. However, because of the nature of radioactivity in the reactors, it has recently been proposed that the reduction returns will not be as lucrative as first thought. So there now seems to be little advantage in waiting for cool-down.

So far, I have cited three reasons why we need to act speedily to find a final resolution to the matter. The final issue is cost. Nuclear safety must always come first and before cost, but cost can become a consideration when a range of safe options are being pondered. It is certainly the case that the cost of storing the nuclear submarines afloat will continue to rise the longer they are in the water. I have already informed the House that a fist-sized hole has been discovered in the ballast tank of HMS Revenge. While I am confident the good people at Babcock will have the situation under control, I am also sure that the maintenance regime will be stepped up a notch to make sure that microbial action—not rust—does not create more holes in the nuclear submarines. That improved maintenance regime will cost more money, as does the ongoing storage at the invaluable facility of the Rosyth basin, which is increasingly being considered for commercial opportunities.

What are the options? It is clear that we must dismantle the reactor compartments in the submarines. We cannot wait any longer. We cannot continue to store them afloat indefinitely at Devonport or Rosyth. The options for dismantling are clear: Devonport and/or Rosyth. Due to expense, security and nuclear standards, it may be possible to develop only one facility for that purpose. I am not in a position to judge whether Devonport or Rosyth would be the best location for that facility, but I would like to make a few observations.

Devonport has the refit and refuel facility for the nuclear submarine fleet. It is a first-class facility that will be utilised for the Trident submarines, the Astute subs and the existing SSNs. That will operate well into the 2050s and beyond. Whereas Rosyth has a very good radioactive storage facility, it currently stores only low-level waste resin that requires chemical decontamination before it is sent to Drigg. It is also going through the process of decommissioning its nuclear facilities. With Trident, Astute and the rest of the fleet, Devonport's future is clearly with nuclear submarines, whereas Rosyth's is in ship refit, design, engineering services and supply chain services. With today's welcome announcement on the carriers, Rosyth is looking forward to its economic future. Indeed, it has a healthy future, well beyond that of the carriers

It seems logical, however, that together with the refuelling and refitting should go the dismantling of decommissioned nuclear subs, but that does not mean that the reactors would necessarily be stored whole or in parts at Devonport. It does not have the space and is located within a large conurbation, so it is not an appropriate long-term location. Devonport, I would therefore suggest, would not be the final storage location for the dismantled nuclear reactors, but it could be involved in the dismantling of the reactors in the interim phase.

I know that the people of Plymouth want to dispose of their four—increasing to six, probably—decommissioned nuclear submarines as much as we in Rosyth want to dispose of ours, so we need a sensible, practical and cost-effective solution. If Devonport were chosen for such a dismantling facility, transporting the seven submarines down from Rosyth would be an issue. It would be logical to cut up the reactors and transport them by rail to Plymouth, but that would involve moving the waste under civilian regulations as opposed to military ones, the former being much more stringent and therefore expensive and restrictive. The Government should seek to change that. We should not be thwarted by artificial regulations in our attempt to seek a rational and effective system of final storage for the subs. If the regulations are not changed, the only practical method of transporting the subs to Plymouth would be by sea. My concern is that as the subs age, transporting them to Plymouth will not be possible without considerable expense, and the decision to develop a facility at both Rosyth and Devonport will therefore be made by default.

One of the key conclusions of an investigation by Project ISOLUS states:

[Willie Rennie]

> "Afloat storage should be regarded only as a stop-gap measure pending the development of an alternative strategy for interim storage".

The Ministry of Defence has come under considerable criticism from the Radioactive Waste Management Advisory Committee, which described it as having "no policy" on the future of decommissioned nuclear powered submarines. Such criticisms doubtless also echo around Devonport, and Plymouth.

We want a final solution for these nuclear submarines. Now, the Americans are also putting pressure on the MOD to come up with a solution. They are aware of the international attention on nuclear facilities and want the UK to come up with something sensible, along the lines that they themselves have adopted, as have the French and the Russians, as I have described.

I hope that the Minister understands how important this issue is for Rosyth and for Plymouth. Both communities have lived and breathed the Royal Navy over the years. The Royal Navy has received our support, recruited our young men and women and benefited from our skilled work force. In return, our communities have accepted the consequences of the naval presence: high turnover of population, the sometimes rowdy behaviour, and the nuclear legacy. However, now is the time for the Ministry of Defence to recognise and live up to its obligations to our communities. We need an early decision on the future of our decommissioned nuclear submarines.

11.38 pm

The Parliamentary Under-Secretary of State for Defence (Derek Twigg): I congratulate the hon. Member for Dunfermline and West Fife (Willie Rennie) on securing this debate on the management of military radioactive waste and on providing me with the opportunity to speak on this issue. I am also pleased that my hon. Friend the Member for Plymouth, Devonport (Alison Seabeck) is here. She takes a great interest in these issues, is one of the hardest working constituency MPs in the House and is a great champion for Plymouth.

I have listened very carefully to the hon. Gentleman and begin by assuring him that the Ministry of Defence fully accepts its responsibilities regarding the need for effective management of the radioactive waste it produces. The production of such waste is an unavoidable outcome of the need to maintain vital military capability, and we are fully committed to managing it in a safe and secure manner, both now and in the future.

I understand the concerns that many people have about radioactive waste. Some waste is clearly extremely hazardous if not handled appropriately, and the management of waste is a long-term commitment. We must face up to that commitment in a considered and robust manner and that is what we are doing, which is why we continue to invest the resources necessary to deliver practicable, sustainable solutions that will stand the test of time. Radioactive waste is produced from a range of military activities and is categorised in a range from very low-level waste to intermediate-level waste; that is the highest category that the Ministry of Defence holds.

Hon. Members will not be surprised to learn that the overwhelming proportion of defence radioactive waste is produced by the nuclear submarine and nuclear weapons programmes. There are also a number of other sources of waste, such as medical radioactive sources, depleted uranium ammunition and contaminated land. Our policies, processes and plans address the requirements for managing all categories of waste, whatever the source. The MOD is not alone in needing to manage radioactive waste and used fuel, and defence material is managed in a similar way to civil material. The MOD's current and future liabilities amount to less than 5 per cent. of the total UK waste inventory, by activity and by volume, so we play an active role in working with the UK nuclear industry, other Government Departments and regulators to deliver long-term waste management solutions for the UK as a whole.

It is not in either the MOD's or the UK's interests to adopt solutions that diverge from those being developed by the Nuclear Decommissioning Authority, which is why we are working closely with it to produce a coherent and optimal strategy to meet our waste management policy. The decommissioning and disposal of nuclear submarines, in particular the management of the radioactive waste generated by that process, is a key area of work for the MOD at this time.

In July last year, the MOD signed a contract for the delivery of new facilities at Her Majesty's naval base Devonport for defuelling and de-equipping submarines in preparation for their afloat storage. That £153 million contract is scheduled to deliver in 2012, and will enable the removal of more than 99 per cent. of the radioactive material from submarines, in a way that meets the highest modern safety standards. That material will then be placed in medium-term storage to a standard that is at least as high as that for civil nuclear waste, and its storage will be subject to statutory safety regulation by the Health and Safety Executive. Low-level waste from operational submarines is disposed of at the Nuclear Decommissioning Authority site near Drigg. The remaining radioactivity after defuelling is secured within the reactor compartments of submarines as they are maintained in afloat storage at Devonport and at Rosyth dockyard.

The ISOLUS—interim storage of laid-up submarines—project was established by the MOD in 2000 to deliver a sustainable solution for the interim storage of nuclear submarines' intermediate-level radioactive waste over the next 60 years. That is a complex matter, whereby we must consider a range of factors including, as I have mentioned, the need to take account of broader UK policy. The Committee on Radioactive Waste Management recommended in 2006 that a programme of robust, safe and secure long-term interim storage of intermediate-level waste was required. The ISOLUS project has taken the Committee's recommendations into account and, since its report was published, the project has been able to take forward technical and siting issues. The present intention is to store intermediate-level waste on land and to end the current practice of afloat storage. Detailed options for land storage are being considered in a technical options study that is expected to be completed by the end of this year.

Radioactive waste is generated and stored at a number of locations around the UK. I would like to reassure the House that when it is necessary for material to be moved between the sites, safety and security remain paramount at all times. Indeed, safety and security are paramount across all aspects of the management of radioactive waste, and the MOD is committed to complying with national policies in this area. Defence activities, whether conducted directly by the MOD or by contractors, are subject to safety and environmental legislation, where it is applicable, and where such legislation does not apply to the MOD we introduce standards and management arrangements that are, so far as reasonably practicable, at least as good as those required by legislation.

The nuclear sector is, as one would expect, highly regulated. The bulk of the MOD's activities relating to radioactive waste management fall under the jurisdiction of statutory regulators—the HSE, including the nuclear installations inspectorate, the Environment Agency, in England, or the Scottish Environment Protection Agency. Where such activities are not subject to statutory regulation, the MOD regulator, the Defence Nuclear Safety Regulator, applies an equivalent regime, and in doing so works closely with the statutory regulators.

I recognise that there is a great public interest in the MOD's management of radioactive waste and we are committed to a policy of openness and transparency so far as is possible, given the demands of national security. Through measures such as the publication on the internet last year of the MOD's radioactive waste disposal policy, we aim to demonstrate that the MOD is a responsible nuclear operator and owner. Project ISOLUS, for example, has already undertaken two major public consultation exercises and has established the ISOLUS advisory group, which has a broad membership and holds public meetings, to provide independent scrutiny of the project. We will continue to engage with interested parties throughout the decision-making process.

I am pleased to have been able to respond to the hon. Gentleman on this important issue, and would like to reaffirm the MOD's commitment to maintaining the highest standards of safety and security, through the effective management of radioactive waste, both now and in the future.

Question put and agreed to.

Adjourned accordingly at fourteen minutes to Twelve o'clock.

House of Commons

Wednesday 21 May 2008

The House met at half-past Eleven o'clock

PRAYERS

[Mr. Speaker *in the Chair*]

Oral Answers to Questions

WALES

The Secretary of State was asked—

VisitWales

1. **Mark Pritchard** (The Wrekin) (Con): What discussions he has had with the Welsh Assembly Government on the contribution of VisitWales to the UK tourism strategy. [205949]

The Parliamentary Under-Secretary of State for Wales (Huw Irranca-Davies): My right hon. Friend the Secretary of State and I meet regularly with Welsh Assembly Government Ministers on that and a range of other issues. The House will be pleased to note that VisitWales is working closely with VisitBritain to maximise the potential opportunities for tourism in Wales. VisitWales's campaigns in activity tourism and business tourism have generated an extra £43.3 million and £31 million respectively for the Welsh economy in 2006-07.

Mark Pritchard: I am on record as saying that the best two-week holiday that any person inside or outside the House can have is a week in Wales, preceded by a week in Shropshire en route to Wales. Given the latest figures from the Welsh Assembly Government showing that room bookings in Wales are down by 5.3 per cent. and restaurant bookings are down by 13.4 per cent., why are the Welsh Assembly Government cutting the Welsh tourism budget by £74 million?

Huw Irranca-Davies: I am glad to see that the hon. Gentleman reflects the excellent tourist product that is on offer in Wales, as well as in Shropshire. The Conservative shadow spokesman, the Assembly Member for Preseli Pembrokeshire, has said:

> "The Assembly Government needs to look urgently at its existing tourism strategies, assess where policies are working, and resolve those which are not."

I am sure, therefore, that the hon. Gentleman would welcome the November announcement of the tourism review to provide a deeper understanding of the current and future needs of tourism in Wales, the action plan currently being developed, which is designed to improve Wales's competitive position, and the surveys that show a high level of general confidence in tourism in Wales, a determination to succeed and an intention to invest in the quality of the tourism product. We are doing a good job in Wales on tourism.

Dr. Hywel Francis (Aberavon) (Lab): The Minister will know that some of the most important visitor destinations in north and south Wales are the quarrying and mining museums. The oldest is the Welsh miners museum at Afan Argoed country park in my constituency. I am proud to say that I am its president. The Welsh Assembly Government give considerable support to mining and quarrying museums. May I suggest to the Minister that he initiate discussions with appropriate UK Ministers to develop strategies to ensure that those fine educational and tourist resources in Wales are better known throughout Britain and the world?

Huw Irranca-Davies: Indeed. My right hon. Friend the Secretary of State and I would be happy to discuss further those interesting ideas of how to promote the Welsh and wider UK mining heritage. I know my hon. Friend's prominent position—in fact, I am sure that I have been lobbied on the very worthy miners museum in his constituency. As he mentioned the Welsh Assembly, he will have noted the free funding for the Big Pit mining museum, which is one of the most excellent innovations in providing free entrance to the museums of Wales. However, I would be interested in meeting him and speaking further about those interesting ideas.

Robert Key (Salisbury) (Con): Given the importance of the Preseli bluestones to the Stonehenge world heritage site, will the Minister have a word with the Ministers responsible for transport and culture in this country and with the Welsh Assembly Government to ensure that progress is made on the new visitor centre at Stonehenge, so that it includes proper education about the site and its relationship with the important sites in Wales?

Huw Irranca-Davies: The hon. Gentleman is a dogged and determined campaigner on behalf of Stonehenge. In fact, I have been in Adjournment debates as a Back Bencher when he has persistently pushed the issue. His comments are noted, and I am sure that I will reflect them in my discussions in the margin with other Ministers.

Mr. Martyn Jones (Clwyd, South) (Lab): My hon. Friend has visited the Pontcysyllte aqueduct in my constituency, and I know that he knows that it is up for world heritage site status this year. Does he agree that achieving that status would be a major asset to tourism in north-east Wales?

Huw Irranca-Davies: Indeed; I am reminded of my visit to the Pontcysyllte aqueduct every day when I drink my coffee in the Wales Office from a Pontcysyllte commemorative mug. I am proud to confirm that the Pontcysyllte aqueduct and canal have proceeded through the technical check phase of the UNESCO world heritage award and will now be evaluated by a UNESCO-appointed assessor to determine whether they will be shortlisted. I thank again all those who have worked so long and hard and who have put so much effort and dedication into campaigning to get the aqueduct recognised as a world heritage site. We in the Wales Office wish it the very best of luck, and I am sure that the House does too.

Mr. Roger Williams (Brecon and Radnorshire) (LD): Tourism is very important in Wales, employing, as it does, about 10 per cent. of the total work force. However, the Welsh Assembly Minister with responsibility for tourism announced a fall of nearly three quarters of a million visitors to Wales last year compared with the previous year. The Department for Culture, Media and Sport announced, through the comprehensive spending review, a 20 per cent. cut in VisitBritain's funding over the next four years. Will the Minister talk to his colleagues in DCMS and emphasise the need for VisitBritain to play its full part in getting visitors into Wales?

Huw Irranca-Davies: My honourable colleague is right to note the importance of tourism to Wales, in terms of jobs and economic impact, and the important interrelation between VisitWales and VisitBritain. That point is well made. Last year, there was almost a triangulation of relevant factors. We undoubtedly had an appalling summer—that was true across the UK—and the pound was an issue. Also, the previous year was unusually good, which was welcomed by everybody. We all hope, therefore, that what seems like a slump is temporary and that tourism will be brought forward. However, I note the hon. Gentleman's comments, and they will be reflected in my discussions with other Ministers.

Nia Griffith (Llanelli) (Lab): What discussions has my hon. Friend had with his colleagues in the Department for Transport and in the Welsh Assembly Government about the future of the Severn bridge tolls? It is hardly a welcome to Wales to be faced with a charge. Furthermore, the charge cannot even be paid by credit card, which can put many foreign visitors in extreme difficulties.

Huw Irranca-Davies: My hon. Friend may be aware of the current review that will report in the autumn on toll charges on the Severn bridge. I commend her, my hon. Friend the Member for Newport, East (Jessica Morden) and others for campaigning long and hard on this issue, but we have to give the review time to consider it and report back.

Mr. David Jones (Clwyd, West) (Con): The tourism spend in Wales over the last four quarters fell by almost 9 per cent., whereas it increased by 4 per cent. across the UK as whole. The Minister has acknowledged that last year was a difficult year, but visitors to Wales spent about £159 million less last year than they did as long ago as 2000. We all acknowledge the crucial importance of tourism to the Welsh economy. Does the Minister agree that tourism in Wales should be promoted by properly qualified industry professionals and not by civil servants? Does he agree that, in hindsight, the decision to scrap the Wales Tourist Board and absorb it into the Welsh Assembly Government has proven to be nothing short of catastrophic?

Huw Irranca-Davies: As someone who comes from a tourism and leisure background, I understand the hon. Gentleman's point about the brand identity of the Wales Tourist Board, but that is not the same as saying that it cannot do an equally good or even a better job in its current role. Everyone will acknowledge that last year was difficult—it was difficult across the UK—but as I said in my opening remarks, strategies and action plans are in place. We hope that Wales tourism will drive forward in the future to have a resurgence of its success of recent years.

Personal Debt

2. **Mrs. Madeleine Moon** (Bridgend) (Lab): What steps the Government are taking to reduce levels of personal debt in Wales. [205950]

The Secretary of State for Wales (Mr. Paul Murphy): The Government are committed to helping families in Wales through the current global economic challenges.

Mrs. Moon: Figures published by the Office for National Statistics show that people who experience mental distress are three times more likely to be in debt. In its report, "In the red: debt and mental health", Mind calls on financial services bodies to provide training and guidelines for staff who deal with people with mental health problems. Does my right hon. Friend agree that Welsh institutions such as banks, bailiffs and building societies could benefit people with mental health problems in Wales if they provided such training?

Mr. Murphy: Yes, I strongly agree. I shall draw the attention of banks and building societies in Wales to the very important report that my hon. Friend mentions, which explores the relationship between debt and mental health. When that is combined with the work of Citizens Advice and the trading standards agencies in local authorities, we can specifically help individuals in those ways, particularly individuals with the problems that she has outlined. We must deal with those people with great compassion. I shall bring this matter to the attention of those bodies.

Mr. Nigel Evans (Ribble Valley) (Con): But the Government are not helping people with debt; they are pushing families further into debt. Council taxes have almost doubled over the past 11 years, petrol now costs £1.20 a litre, with another 2p increase in the pipeline, and the vehicle excise duty increases will hit families living in Wales who have family cars. Will the Secretary of State lobby the Prime Minister to scrap both those taxes?

Mr. Murphy: As the hon. Gentleman knows, the Chancellor of the Exchequer will be coming back to the House of Commons with the pre-Budget review to deal with all these issues. The Chancellor has looked at the question of helping people with debt, and about 1.1 million people in Wales will benefit from the £120 for basic-rate taxpayers. It is also important to understand that all of us who represent Welsh constituencies are aware of the issues relating to family finances—including fuel, food, gas and other energy bills—but there is a limit to what a Government, of any party, can do. We must undoubtedly do our best to ensure that the families we represent are best served by the Government, but much of this is a matter for international negotiation—in relation to oil prices, for example, and to food. However, I accept the fact that these are important issues and that we have to try to address them.

Lembit Öpik (Montgomeryshire) (LD): Absolute salaries in Powys have gone down by an average of 4 per cent. in the past 12 months, at a time when inflation has meant that people in that area are, on average, 7 per cent. worse off. At the same time, the spectre of negative equity is rearing its ugly head again. What comfort and practical support can the Secretary of State offer to those people who are facing repossession, on what looks like the brink of a recession in Montgomeryshire and in Brecon and Radnorshire?

Mr. Murphy: I accept the fact that families in the hon. Gentleman's constituency, and in all Welsh constituencies, are facing these difficulties. However, I do not think that we are facing anything like the repossession problems that we faced in the late '80s and early '90s. The work that the Chancellor of the Exchequer is doing in dealing with the mortgage lenders is important, as is the work of the Welsh Assembly in helping to provide a supply of affordable housing. We need to accept that these issues reflect great global challenges, but the Government and the Assembly will do their best to ensure that the people in all our Welsh constituencies are able to face them.

Mrs. Cheryl Gillan (Chesham and Amersham) (Con): But does the Secretary of State truly realise how tightly family incomes are being squeezed in Wales at the moment? Since 1997 the taxes on every family have risen by £5,400, and the poorest 20 per cent. of households now pay a higher proportion of their income in taxes than any other group. Is he at all surprised that personal debt in Wales is rising under his Government?

Mr. Murphy: I am not surprised that there are problems with family finances, because of the matters to which I referred in answer to earlier questions. As a valleys MP and a Welsh Member of Parliament, when I compare what was happening when I entered the House in the late '80s with what is happening now, I remember that there were tens of thousands of people out of work in Wales, that inflation was running at 15 per cent. and that interest rates had gone through the sky. The problem of debt at that time was hugely more difficult than it is now.

Mrs. Gillan: But the Secretary of State knows that the people in the valleys are not interested in a history lesson about the 1980s; they are interested in what is happening to their pockets now. Wales under Labour is the poorest part of the United Kingdom, and any financial attack on the lowest paid affects huge numbers of people. Today, we have learned that the Institute for Fiscal Studies has said that the Chancellor's quick political fix of compensation for the abolition of the 10p tax rate has backfired, and that 18 million families in the United Kingdom—many of them in Wales—will still end up paying more tax. Why is the Secretary of State standing by and allowing his Government to push Welsh families, who are already struggling, deeper into debt?

Mr. Murphy: I am sure that the hon. Lady will accept that Wales saw the biggest percentage increase per head in gross disposable household income of all the United Kingdom countries and English regions between 1999 and 2006. It was up nearly 40 per cent., compared with 33 per cent. across the United Kingdom. So we have got better off in Wales over the past 10 years. I accept the point that she is making about the problems with family finances, but I would like to point out to her that over 1 million people in Wales—22 million basic-rate taxpayers in the whole of the United Kingdom—will benefit from the changes brought in by the Chancellor last week. Furthermore, 8,000 more people in Wales are in work now than last year. That is in contrast to the thousands of people who were out of work in Wales when the Conservative Government were in power.

Pathways to Work

3. **Ian Lucas** (Wrexham) (Lab): If he will make a statement on the implementation of the Pathways to Work Programme in Wales. [205951]

5. **Mrs. Betty Williams** (Conwy) (Lab): If he will make a statement on the implementation of the Pathways to Work Programme in Wales. [205953]

The Secretary of State for Wales (Mr. Paul Murphy): I welcome the pathways to work programme in Wales, which now extends beyond the original pilot areas of south-west Wales and the valleys to include the whole of Wales. Access to this personal support service across Wales is successfully helping those with health problems or disabilities to find and retain jobs.

Ian Lucas: The centre for disability studies at Wrexham's new university has identified that the biggest challenge facing individuals who are not in work is the attitude of some employers towards people with disabilities. What more can the Government do to encourage employers in areas with powerful local economies, such as Wrexham, to do more to recognise the abilities of disabled people and to give them more opportunities to work?

Mr. Murphy: I accept my hon. Friend's point and we are committed to taking steps to help people with health problems and disabilities. I greatly welcome the work of the North East Wales Institute in that regard. Let me tell my hon. Friend and the House that in his constituency, in comparison with August 1999 and last year, there was a 9 per cent. reduction of claims for incapacity benefits. Many of those were disabled people who actually wanted to work and to get into the workplace; in an area like north-east Wales, which is thriving, they want to be able to add their contribution to society.

Mrs. Williams: My right hon. Friend and his Cabinet colleagues will be aware of the concerns expressed by ex-servicemen and women in Wales when they end up on benefits. Will the pathways to work programme in Wales help such men and women as they face those hardships?

Mr. Murphy: It most certainly will. My hon. Friend will understand that since its inception in December last year, the provider base pathways programme has seen more than 310 people finding a job in Wales. Some of them will have been in the category to which my hon. Friend refers and about 120 of them were in north and mid-Wales.

Hywel Williams (Caernarfon) (PC): However, the pathways to work scheme in England is formally linked to the Department of Health's own access to psychological therapies programme. What similar arrangements are in place in Wales for jobless people, particularly for those with mental problems, and what progress has been made in that respect?

Mr. Murphy: The hon. Gentleman is right to refer to the English situation. In Wales, of course, where health is devolved, that is a matter for the Welsh Department of Health and Social Services, as well as the UK Government Department. I will make sure that I talk to Edwina Hart, the Welsh Health Secretary, about the point that the hon. Gentleman has raised.

Mr. Peter Hain (Neath) (Lab): Does my right hon. Friend agree that, as a result of the pathways to work programme, incapacity benefit levels are falling in Wales for the first time in a generation? Does not that provide a stark contrast with the miserable record of the Tories, who tripled incapacity levels in Wales and elsewhere in Britain? Would it not be devastating if the Tories ever came back to attack people in Wales again?

Mr. Murphy: Indeed it would. I think that I said in reply to the hon. Member for Chesham and Amersham (Mrs. Gillan) that people in Wales understand what it was like under a Conservative Government. It is not just the politicians who say that, as the chief executive of HSBC bank in Wales, Mr. Alan Jarman, recently said:

> "We don't have mass unemployment or inflation running rampant or interest rates responding to the ERM as we had then."

Wales is a very different place and it is a better place because of the Labour Government over the last 10 years.

Chris Ruane (Vale of Clwyd) (Lab): Does my right hon. Friend agree that many of the employment opportunities in Wales are on big industrial and business parks and that the key issue is how we connect people in high unemployment areas and wards to those job opportunities on those parks? Does he also agree that pathways to work, city strategy and Want2Work initiatives by the Government are helping to overcome the barriers of transport, child care and skills?

Mr. Murphy: I do indeed. This Government and the Welsh Assembly Government must work together to ensure that people with particular skills—whether they are disabled or not—can take up jobs in the high-tech industries, especially in industrial and business parks throughout Wales.

Offender Management

4. **David T.C. Davies** (Monmouth) (Con): What recent discussions he has had with the Secretary of State for Justice on offender management in Wales. [205952]

The Parliamentary Under-Secretary of State for Wales (Huw Irranca-Davies): My right hon. Friend the Secretary of State and I regularly discuss offender management issues with ministerial colleagues. The Government remain committed to ensuring efficient offender management. We have provided an extra £40 million to help bring about more effective community sentences, and we are also increasing prison capacity.

David T.C. Davies: Prison capacity may be increasing, but the Minister is surely aware that the present chronic lack of spaces has led to dangerous prisoners being taken out of closed prisons and put into the camp at Prescoed, from which they immediately escape. Will he undertake to return to the Justice Minister and demand that enough spaces are built in the closed estate to ensure that people living near open prisons such as Prescoed can sleep safely in their beds at night?

Huw Irranca-Davies: We have provided an extra £1.2 billion to deliver a further and extended building programme that will create 15,000 places in England and Wales by 2014, 330 of which will be at Parc prison. As for the use of open prisons, public protection is the top priority. All prisoners in open prisons have been risk-assessed rigorously, and are in the final stage of their sentences. Moreover, the number of absconds from open prisons is at its lowest for a decade.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy) (PC): Does the Minister accept that there is a rather poor partnership between the National Offender Management Service and the representatives in Wales? May I remind him that, according to the 2006-07 estimates, it cost £890 million to build the London headquarters, compared with the £833 million spent on the probation service as a whole? Does he not recall that, until we amended at a late stage the Bill that became the Offender Management Act 2007, the National Assembly was not even a statutory consultee in the process?

Huw Irranca-Davies: I certainly agree with the hon. Gentleman that it is vital for the Welsh Assembly always to be consulted at the earliest opportunity, and throughout the process, on justice and all other issues.

Julie Morgan (Cardiff, North) (Lab): Is my hon. Friend aware of the success of the women's demonstrator turnaround project, funded by the National Offender Management Service? It is based in Cardiff, and works with women offenders to prevent them from reoffending and going to prison. Will my hon. Friend do all that he can to support the project?

Huw Irranca-Davies: I will indeed. I join my hon. Friend in paying tribute to that work, and I also pay tribute to her support for it. I was pleased to be able to visit people involved in the project only last year, and hope to return in the near future to observe their excellent work again.

Jenny Willott (Cardiff, Central) (LD): As the Minister probably knows, seven out of 10 prisoners have two or more mental health conditions. Given that health care for prisoners, including mental health provision and drug and alcohol treatment, is the responsibility of local health boards in Wales, will he commit his colleagues in the Ministry of Justice to liaising with the Welsh Assembly Government to bring about a massive increase in provision, so that prisoners in Wales can gain access to the treatment that they need?

Huw Irranca-Davies: The hon. Lady has made an important point about the need for liaison between the Welsh Assembly Government and lead Departments in this place. I take that on board, and I shall be happy to reflect the importance of that close discussion as this Government and the Assembly present their policies.

Badgers (Culling)

6. **Miss Anne McIntosh** (Vale of York) (Con): What discussions he has had with the Welsh Assembly Government on policy on culling badgers to tackle bovine tuberculosis. [205955]

The Parliamentary Under-Secretary of State for Wales (Huw Irranca-Davies): My right hon. Friend the Secretary of State and I have regular discussions with Welsh Assembly Ministers on a range of issues, including bovine TB.

Miss McIntosh: Has the Minister studied the Welsh Assembly strategy for badger control? Does he agree or disagree with it, and what discussions have taken place about it?

Huw Irranca-Davies: As the hon. Lady will know, the issue is devolved, but we do have discussions with Welsh Assembly Government colleagues. In 2007 more than 7,900 cattle were slaughtered in Wales as a result of bovine TB compared with fewer than 700 in 1997, and the cost of compensation has risen from £1.8 million in 2000-01 to £15.2 million. While the approach is targeted and part of a wider strategy, we are watching with interest to see how the situation unfolds in Wales.

Jobcentre Plus

7. **Paul Flynn** (Newport, West) (Lab): If he will make a statement on the provision of access to digital services in Jobcentre Plus offices in Wales. [205956]

The Parliamentary Under-Secretary of State for Wales (Huw Irranca-Davies): Jobcentre Plus continues to play an innovative role in using digital technology to help people back into work, and I look forward to its continuing work in this area.

Paul Flynn: Will my hon. Friend and the Secretary of State, who have mastered high technology themselves, lead by example by demonstrating at the jobcentres the new innovations that are planned?

Huw Irranca-Davies: My hon. Friend pays regard to my right hon. Friend the Secretary of State as the Minister for digital inclusion and to my role as a junior Minister. Since 2007, viewers can search for job vacancies using digital television, thanks to the partnership between Jobcentre Plus and the local government digital TV portal, Looking Local. This Government are determined to innovate to help people back into work.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [206728] **Mr. Kevan Jones** (North Durham) (Lab): If he will list his official engagements for Wednesday 21 May.

The Prime Minister (Mr. Gordon Brown): Before listing my engagements, I am sure the whole House will wish to join me in sending our profound condolences to the family and friends of the UK serviceman killed doing his duty and serving his country in Afghanistan on Monday. We owe him, and all others who have lost their lives, a deep debt of gratitude.

This morning, I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall have further such meetings later today.

Mr. Jones: May I add my condolences to the family of the brave serviceman killed in Afghanistan this week? In the last few weeks, the world has seen the devastation by a cyclone in Burma, earthquake destruction in China, and now the spectre of the possible return of the famines of a generation ago in Ethiopia and the horn of Africa. Does my right hon. Friend agree that the test by which the international community and developed world will be judged is how they respond to those crises and the cries from some of the poorest in the world?

The Prime Minister: I am sure the whole House will wish to join me and others in sending condolences to all those who have lost their lives in China, where 40,000 people have died as a result of the earthquake, and in Burma, where we estimate up to 200,000 people have now died as a result of the cyclone, and to all those who are suffering as a result of famine, which is now hitting Africa again in this generation. The rescue effort in China has been heroic, and thousands of lives have been saved. We are now sending aid for shelters to China, as well as giving help with equipment. The progress in Burma remains slow, however. We have worked with the Association of South East Asian Nations—ASEAN—and the United Nations Secretary-General, and I believe that ASEAN aid will now flow into Burma with the permission of the Burmese Government. There is also to be a donors' conference this weekend in Rangoon, headed by the UN Secretary-General. We continue, however, to hold the Burmese Government accountable for the loss of life and the suffering of their people.

As far as Africa is concerned, the Secretary of State for International Development will be announcing new aid for Ethiopia and other countries that are hit by famine. Six million children are likely to be affected over the next few months, which makes the case not only for action on food shortages, but for the proposal put by the Foreign Secretary at the UN Security Council: that we now need a civilian stand-by humanitarian and reconstruction force that has the necessary funds to move immediately whenever disasters are threatening in the world.

Mr. David Cameron (Witney) (Con): I join the Prime Minister in paying tribute to the British soldier who was killed in Afghanistan on Monday. He died serving our country and we should all honour his memory.

May I return to the issue of Burma? Everyone is grateful for the efforts the Government have made over the last week, and it is good news that UN Secretary-General Ban Ki-moon is visiting Burma later this week. The donors' conference the Prime Minister spoke about is also very worth while, but the situation on the ground remains desperate. What is the Prime Minister's assessment of the percentage and number of people who are still without aid three weeks after the cyclone hit?

The Prime Minister: I agree with the Leader of the Opposition; it is still a small fraction of people who are getting aid. Aid agencies, particularly British ones, are getting aid to people, but the key effort will now rely on an ASEAN-mobilised effort, as a result of the decision of its Foreign Ministers on Monday. We will put our resources behind that, as will the Americans, the French and the ships that are now off the coast of Burma. We hope that, as a result, aid will now get very quickly to the people of Burma. It is the combination of the ASEAN aid effort—I have been in touch with the Prime Ministers of India, Singapore and Thailand and the President of Indonesia asking them to move things forward as quickly as possible—which the Burmese Government are now prepared to accept, and the push from the United Nations at the conference this weekend that can start to make possible the biggest difference.

As I said, I hold the Burmese Government responsible for what was a natural disaster turning into a man-made disaster, but, at the same time, we continue to look at all the other options, as I said last week. The general view of aid agencies on the ground is, again, that it is better to work through the Burmese Government to get the aid to people as quickly as possible, rather than to use the other options that may be available to us in the future. In the next few days, that is where all the efforts will be focused.

Mr. Cameron: Clearly we all agree about the frustration with the slow progress; the UN estimates that fewer than a quarter of the people affected are receiving aid. I put a question to the Prime Minister: is there not a danger that the junta in Burma is doing just enough each day to prevent the international community from taking those further steps to make sure the aid gets through on a huge scale? He said last week that he does not rule out direct aid. I think that he is absolutely right that the efforts by ASEAN to open up the country are the best route forward, but can he give us his latest assessment on how direct aid could be delivered if it had to be delivered? Is it not the case that for too many people in Burma time is just running out?

The Prime Minister: What has changed in the past few days is the determination of the ASEAN countries to take action. I spoke to the Prime Minister of India, and he has moved to agree to the action that is necessary and now agreed by the ASEAN Foreign Ministers. I spoke to the President of Indonesia and the Prime Minister of Singapore, and they, too, are behind the major effort that ASEAN will now mount. Britain, France and America have been pushing for aid to be delivered, but what has changed in the past few days is that the ASEAN group of countries will now co-ordinate action, which will be backed up by the donors' conference.

I agree with the right hon. Gentleman that aid has been too slow and I agree with him also that the Burmese regime has made it impossible, in some cases, for aid agencies to do their work. But what I do believe is that, as has happened in the past few days, the ASEAN countries have been seized of the necessity to take action—every phone call that I have had suggests that, as do Lord Malloch-Brown's visits to the region—and that is what we must monitor over the next few days. I do not rule out anything, but I think that the right hon. Gentleman would agree that, in talking to aid agencies—Save the Children, Oxfam and the World Food Programme, which is acting on the ground in the area—they still believe that food drops or other drops of aid would be counter-productive and that they still believe that military intervention would be counter-productive at this time. Let us hope, and let us push the ASEAN effort forward. Given the scale of the loss of life of which we are now aware, the whole House would wish that effort to move forward very quickly now.

Mr. Cameron: I wish the Prime Minister well with his efforts, and I thank him and the Government for keeping us regularly updated on this issue in the House. What has happened in China is also a huge tragedy—the Prime Minister and I both went to the Chinese embassy yesterday—but we must not let it knock off the front pages what is happening in Burma.

I shall turn, if I may, to an issue of domestic politics, which may explain the slightly emptier House of Commons today. Tomorrow, people in Crewe and Nantwich will go to the polls in a by-election. The abolition of the 10p tax rate is clearly a huge issue, so can the Prime Minister tell us whether the £2.7 billion compensation package will be continued into the next financial year?

The Prime Minister: We have already said that we want to continue to help those affected by the 10p rate, and the Chancellor will make an announcement in the pre-Budget report. Perhaps there is a question that the right hon. Gentleman might answer. *[Interruption.]* We have announced a £2.7 billion package to help 22 million people in this country and to give lower taxes to those who have been hit by food and fuel bills, and the Opposition cannot tell us whether they support it or not. The reason why they cannot tell us whether they support it is that their priorities for tax cuts are not our priorities. Their priorities are inheritance tax, stamp duty on shares and corporation tax. ~~Let us~~ give the tax cut to those who need it: lower and middle-income families in this country.

Mr. Cameron: The whole House will have noticed that that was no answer to the question at all. The man sitting next to the Prime Minister gave a slightly straighter answer when on "Newsnight". Jeremy Paxman asked:

> "So this is for one year only?"

The Chancellor said:

> "Yes I made that clear this afternoon."

So, should not everyone conclude that this is a one-off, one-year-only change, whereby the Government give some people some money this September and take it all back again in April? It is just one tax con followed by another. The Institute for Fiscal Studies has said today that even after the changes almost 1 million families will still be worse off—and they are among the poorest—and a total of 18 million families will be hit when the changes are reversed next year. Will the Prime Minister confirm those figures?

The Prime Minister: The IFS has also said that in the past 10 years the group that has benefited most from this Labour Government are the lowest income groups who are more than 10 per cent. better off. They would not have been better off if we had taken the advice of the right hon. Gentleman, who tells us that he wants to introduce a Budget that abolishes all of the endless reliefs and tax credits to create a basic rate of tax and abolish the top rate of tax at 40p. That is the policy of the Conservative party. We want to help lower and middle-income families: they want to help other people. He still has not answered our question: does he support the £2.7 billion?

Mr. Cameron: The last time I looked this was still called Prime Minister's questions. This is not like his thing on YouTube where people ask questions now and he gives an answer after 21 June. He absolutely would not confirm the figures, so will he tell us this? He brought forward his draft Queen's Speech and he introduced a mini-Budget, all because of the by-election. Why has he not had the courage to go to Crewe and Nantwich to explain those points to people on the streets of those towns?

The Prime Minister: The right hon. Gentleman knows that it is the tradition that Prime Ministers do not go to by-elections. Like the people in the rest of the country, the people of Crewe and Nantwich know that 22 million households are better off by £120 as a result of the tax changes that we have made. They also know that we have put £2.7 billion into that. What they do not know is whether the Conservative party will support the changes. We are the party for low and middle-income families, making them better off: the Conservatives are the party that would prefer tax cuts for the richest.

Mr. Cameron: The Prime Minister must know that the Labour party will never be taken seriously again as the party of low and middle-income families. It was 5.3 million low income people whom he hit in order to clamber aboard the premiership. The Prime Minister talks about the great tradition of Prime Ministers not going to by-elections. I remind him of what his predecessor, Tony Blair, said on his way to a by-election:

> "I've never understood the recent convention that Prime Ministers stay away from by-elections. I am joining the campaign trail... because this by-election matters...I believe in leading from the front."

Instead of leading from the front, has not the Prime Minister just put himself in his bunker?

The Prime Minister: The right hon. Gentleman never addresses the questions of importance. He wants us to believe that the Conservative party is the party that helps the poor, but he opposes tax credits. He wants us to believe that his party would help the low paid, but it opposed the minimum wage. He wants us to believe that the Conservatives are the party of the family, but they voted against maternity leave. He wants us to believe that they are the party of £10 billion of tax cuts, but they will not tell us the consequences in public spending cuts. He can get by without substance for some of the time, but he will never get by without substance all of the time.

Andrew Miller (Ellesmere Port and Neston) (Lab): May I advise the House that this morning I withdrew my Temporary and Agency Workers (Equal Treatment) Bill, following yesterday's ground-breaking agreement between the Government and the social partners? That is surely the best way to address unfairness in the workplace. Will my right hon. Friend use his good offices to continue in this vein and demonstrate the differences between us and the official Opposition, who said in Committee that they were opposed to equal treatment in the workplace?

The Prime Minister: I am grateful to my hon. Friend for raising the issue of agency workers in the House of Commons through his Bill. He will be pleased that it will now be possible for us to legislate in the next Queen's Speech for an agency workers Bill. I am pleased that the CBI and the TUC could reach agreement about a way forward to deal with what was an unfairness practised against agency workers that allowed British and other workers to be undercut as a result. I hope that all parties in the House will welcome that agreement between the CBI and TUC, and I hope that the Conservatives will change their minds on the agency workers Bill. But of course their stance is very much in keeping with a Conservative party that still wants to get rid of the social chapter.

Mr. Nick Clegg (Sheffield, Hallam) (LD): I should like to add my own expressions of sympathy and condolence to the family and friends of the British serviceman who tragically lost his life in Afghanistan. I am sure that the whole House agrees that a failure of our mission in Afghanistan would be catastrophic and would lead to an increase in terrorism, more hard drugs on the streets of our towns and cities, instability in the region and more suffering for the Afghans. Will the

Prime Minister accept that perhaps more could be done to explain to the British people why success in Afghanistan is so vital and that we perhaps need to be more candid about how long we will have to stay there? Does the Prime Minister agree that stabilising and rebuilding Afghanistan could take 30 years and that Britain must be ready to make that commitment?

The Prime Minister: It will certainly take time. I hope that the right hon. Gentleman will agree that what we are doing in Afghanistan is the front line against the Taliban and their ever returning to power. It is a battle against al-Qaeda and those people who want to use Pakistan and Afghanistan to bring al-Qaeda back into power. It is also a fight to re-establish government in Afghanistan under President Karzai. I hope that the right hon. Gentleman will agree with our strategy, which is to use military force, while also building up national and local government in Afghanistan and giving people a stake in the future by promoting the economic development of the country. The strategy that we announced for Afghanistan, backed up by 7,800 very brave troops there, is to move not only through military means but through civilian and local government reform and economic development that will bring hope to people in the country.

Mr. Clegg: I am grateful to the Prime Minister for that reply. That being the case, does he share my concern that much of our defence expenditure continues to be misallocated on cold war priorities? For example, we are committed to spending £6 billion on the Eurofighter but are failing to deliver enough of the right kinds of armoured vehicles to our troops on the ground in Afghanistan. Will the Prime Minister commit to undertaking the first strategic defence review in 10 years to ensure that our troops are properly equipped for the new kinds of conflict that they now face?

The Prime Minister: I think that the right hon. Gentleman will know that we have spent £6 billion on urgent operational requirements in addition to the ordinary defence budget for the work that is being done by our troops in Iraq and Afghanistan. He will also know that when it comes to giving our fighting troops the equipment that they need, we have made major investments now and for the future including in tanks and helicopters for Afghanistan. Eurofighters are strike aircraft, and I think that the right hon. Gentleman will recognise that they are of use in the theatres of war in which we are operating. He will also welcome the announcement yesterday that the aircraft carrier order will go ahead, benefiting almost every shipyard in the UK.

Q2. [206731] **Mr. Dennis Skinner** (Bolsover)(Lab): Does the Prime Minister recall that 30 years ago, the then Labour Government introduced what is known as Short money, which enables the Opposition parties to have £4.7 million in the Conservatives' case and £1.7 million in the case of the Liberal Democrats? Does he know, too, that a top Committee of the House recently uncovered large donations to the Tory shadow Cabinet? Is it not like the old familiar story—claiming benefits from the state while making money on the side?

The Prime Minister: It is true that the Conservative party receives £4.7 million from Short money. Perhaps its new value for money inquiry can look at whether that is money well spent.

Gregory Barker (Bexhill and Battle) (Con): The 10p tax con has been an unmitigated fiasco, not least for hard-working low-income families. Will the Prime Minister accept personal responsibility for the whole sorry episode?

The Prime Minister: Perhaps, if the hon. Gentleman holds those views, he will support our measures. Some 22 million people will get £120 as a result of the tax change announced by the Chancellor. Perhaps the hon. Gentleman will break with those on the Opposition Front Bench and give us full support for the measures that we are bringing forward.

Q3. [206732] **Laura Moffatt** (Crawley) (Lab): Thales is a global company that produces aerospace technology and engineering for all our constituents. It has 9,000 staff in the UK, and 2,500 in Crawley, and a thriving apprenticeship scheme and graduate programme. Does the Prime Minister agree that that is a true reflection of what is going on in our constituencies up and down the country as training opportunities are provided for our young people so that they can get into decent jobs?

The Prime Minister: I welcome the work that Thales does, both in my hon. Friend's constituency and around the country. Incidentally, it is part of the aircraft carrier order as well. I welcome most of all two things that are happening in the British economy: first, we have more jobs in Britain than ever before in our history—29.5 million—and, secondly, we have restored the apprenticeships that were dying out when we came to power in 1997. Now there are 180,000 apprentices in the country, and that number will continue to rise, in my hon. Friend's constituency and in other constituencies. It is unfortunate that the Conservatives cannot support the increase in apprenticeships that is taking place.

Lembit Öpik (Montgomeryshire) (LD): The decisions that we made on the Human Embryology and Fertilisation Bill on Monday make it possible for researchers into motor neurone disease to explore new options for a cure to what is a dreadful and invariably terminal illness. The Prime Minister will be pleased to know that the international symposium to consider options for cures is coming to the UK later this year. If I make representations to him on behalf of the Motor Neurone Disease Association, will he consider addressing that symposium?

The Prime Minister: As the hon. Gentleman knows, I have met him and members of the association to which he refers, and we have talked about how we can work together to increase research in the future. The benefits that come from Monday's decisions on the Human Embryology and Fertilisation Bill will not go just to research into that disease. We can now look forward to achieving potential cures for many other life-threatening conditions in the future, and I look forward to talking to him about addressing the association.

Q4. [206733] **Mr. Andrew Love** (Edmonton) (Lab/Co-op): There is a growing disparity between the doom and gloom in the national media and the independent economic forecasters who are still forecasting that there will be growth in the economy this year. Who are we to believe?

The Prime Minister: The British economy was one of the fastest growing economies last year— [Hon. Members: "Was!"] This year, the estimate is that it is still going to be one of the fastest growing economies in the G7. The reasons are that we have lower inflation than other countries and that we have more jobs than at any time in our history. We will continue to take the right decisions to keep inflation and interest rates low in this economy, and to keep employment up. While unemployment is at 8 per cent. in France and Germany, and rising very fast in America, employment in Britain is at 29.5 million, the biggest number in our history. I would have thought that Opposition Members would welcome the fact that the British economy is creating jobs, not criticise us.

Sir Paul Beresford (Mole Valley) (Con): I am sure that the Prime Minister will agree that many Commonwealth nations—and especially the old ones—are our stoutest allies, for longstanding, kith-and-kin reasons. However, a number of those nations, especially Australia and New Zealand, are extremely upset at the Government's proposals to cut visitor visa times by half, and to remove patrial entry into this country. Will he heed those protests, remove those proposals and revert to the present arrangements?

The Prime Minister: Obviously, we will look at these issues carefully. We have had representations from the Governments of Australia and New Zealand, but I remind the hon. Gentleman that we are introducing an Australian-style points system for migration into this country. A lot of the changes that we are making flow from that.

Q5. [206734] **Mr. Ronnie Campbell** (Blyth Valley) (Lab): Thousands of workers every year contract pleural plaques. They are an early sign of asbestosis, which leads to a long and horrible death. Can the Prime Minister give the men involved any hope of compensation in the future?

The Prime Minister: I met a delegation of hon. Members concerned about pleural plaques. It is a serious issue that has arisen as a result of a High Court judgment, and the Government are proposing to bring forward a consultation document on it in the next few weeks. We are looking very carefully at the representations that my hon. Friend and others have made. We are very sensitive to the fact that people with pleural plaques may suffer from asbestosis and other diseases as a result of their exposure to asbestos, and we are determined to do what we can to help them. I think that he will look forward to the document that we will bring forward in the next few days.

Mr. Gregory Campbell (East Londonderry) (DUP): There is to be a presidential election run-off next month in Zimbabwe. Given the result of the last electoral contest there, what plans does the Prime Minister have to hold discussions with leaders in southern Africa to make sure that on this occasion corruption, bribery and the brutality of the regime are brought to an end, through the freely expressed views of the people of Zimbabwe?

The Prime Minister: In the last elections, the main observers were those from the Southern African Development Community—from the south African countries themselves. The hon. Gentleman is absolutely right that people expressed a huge amount of disquiet, not just about some of the practices in the election, but about the huge delay in publishing the election results. I think that he will find that the international community, including the Secretary-General of the United Nations, is pressing the Zimbabwean electoral commission and the Zimbabwean Government to ensure that there are international observers from a far wider range of countries than previously. I believe that there are now discussions about observers coming from the Caribbean countries, and perhaps from Canada and other parts of the world, to add to the international observers from the south African countries.

I think that it is very important that if there are to be elections, given the violence that has happened in Zimbabwe and given the fears that people have about the role of the military in the elections, that there be sufficient observers, so that the process is seen to be free and fair. We are determined to back up all countries that are pushing for the process to be free and fair.

Q6. [206735] **Mr. Jim Cunningham** (Coventry, South) (Lab): May I ask my right hon. Friend what more he can do to help small businesses and, more importantly, look at the question of cutting red tape?

The Prime Minister: The best help for small businesses is to keep interest rates low, so that they are able to invest for the future in an expanding economy. The best thing that we can do to help small businesses is make sure that our economy continues to grow as a result of all the decisions that we make. As far as bureaucracy and red tape are concerned, my hon. Friend will know that we are moving towards what is called risk-based regulation, in which instead of 100 per cent. of forms being filled in, 100 per cent. of information requirements having to be met, and 100 per cent. of firms having to be inspected over a period of time, we proceed on a risk basis, so that only a fraction of firms need submit information, be inspected or meet the information requirements. I think that risk-based regulation for small businesses is the way forward. We are in discussions with the CBI and other organisations about implementing that.

Q7. [206736] **Mr. Brooks Newmark** (Braintree) (Con): Does the Prime Minister share my concern about the fact that, according to Home Office figures, domestic violence has almost trebled from 241,000 to 658,000 instances in the past year alone, yet the conviction rate has fallen from 11 per cent. to a paltry 5 per cent.?

The Prime Minister: One of the reasons why more people are coming forward to report domestic violence is that we are making available far bigger advice services and far more support for the victims of domestic violence. When it comes to taking action and the expenditure that is necessary for those advice services, I hope that the hon. Gentleman will renounce his membership of the No Turning Back group and support the additional public spending that is necessary.

Q8. [206737] **Mike Gapes** (Ilford, South) (Lab/Co-op): Millions of people, both in this country and around the world, are concerned about, or suffering from, rising food prices. What can the Prime Minister tell us about the prospects for an early agreement in the world trade talks?

The Prime Minister: The World Trade Organisation yesterday published its papers, so that we can move forward in getting a world trade deal. If we could get a world trade deal, we could resist the protectionism that is now about in America and in Europe, and we could move towards a greater degree of free trade, which would benefit the poorer countries of the world. Indeed, if agricultural subsidies were reduced, it would help us to deal with some of the problems of food shortages. I hope that we will now get support from the Governments of the world in order to conclude a world trade deal. I will be working very hard with our G8 partners and others at this, the eleventh hour—we need a trade deal now or it will be delayed for a great deal of time—in the hope that we can make urgent progress in the next few days.

Malcolm Bruce (Gordon) (LD): As a Scottish Member of Parliament, the Prime Minister will know that the Scottish Executive have postponed much-needed capital investment in order to work up their own alternative Scottish Futures Trust. Yesterday they published details of outline proposals for £150 million—a fraction of what is required. Will he confirm whether that requires Treasury approval, if that approval will be forthcoming, and how much-needed projects such as the Aberdeen bypass, which have been delayed by the Scottish National party Executive, are to go ahead?

The Prime Minister: It is true that the priorities that I believe many people in Scotland want to see followed—that is, new investment in health, transport and education—are now the victims of SNP policies that are being adopted in the Scottish Parliament. I believe that public opinion, whether that of the local authorities or of the public round the country, will press, as the right hon. Gentleman is doing, for the education programme of expansion to go ahead, for the transport programme to go ahead, and for the health programme to go ahead. Unfortunately, the rate of increase in education and health expenditure has been cut to below that in the United Kingdom as a result of decisions of the SNP Administration.

Q9. [206738] **Chris Ruane** (Vale of Clwyd) (Lab): According to an answer in Monday's *Hansard*, employment numbers in my constituency, Vale of Clwyd, went from 23,000 in 1997 to 29,000 in 2007. Does the Prime Minister agree with me that Labour is working?

The Prime Minister: One hundred and forty thousand more people are employed in Wales now than in 1997; 3 million more people are employed in the United Kingdom now than in 1997. The reason why the Conservatives do not like hearing that is that there were 3 million unemployed under a Conservative Government.

Bill Wiggin (Leominster) (Con): A few weeks ago, the Prime Minister was kind enough to agree to look into his Government's attack on disabled and elderly anglers. He said that he would look into it, but I still have not had a reply from him. Please will he see what he can do for those people, who have seen the cost of their licences go up by 37 per cent.?

The Prime Minister: I said that I would look into that matter, and I shall write to the hon. Gentleman.

Q10. [206739] **Martin Salter** (Reading, West) (Lab): Has the Prime Minister had an opportunity to examine the surveys, by Mencap and others, that highlight the huge variation among different local authorities in the levels of social care for elderly and vulnerable people that they provide? Does he share my concern that it is mainly Conservative authorities, including Wokingham and West Berkshire, that are refusing to support vulnerable people at substantial or moderate risk? Does that not speak volumes about the callous face of Cameron's Conservatives?

The Prime Minister: We have set aside a 45 per cent. increase in resources for social care up to 2011. Many of these decisions have to be made by local authorities, to implement the spending allocated by the Government. We will be looking week in, week out, at what Conservative councils are doing. We will be looking at what they are doing in practice and in action and at whether they are serving the needs of elderly people in their areas.

Point of Order

12.32 pm

Mike Penning (Hemel Hempstead) (Con): On a point of order, Mr. Speaker. In the past few days, there has been press speculation that a man has been arrested in connection with the missing body of Captain Robert Nairac, who was taken by the IRA in Northern Ireland. Captain Robert Nairac was my captain.

Should a Minister not come before the House in respect of this issue? This gentleman was on operational duties serving his country, and if there is new news about where his body is, surely a Minister from the Ministry of Defence should be here telling us exactly what happened.

Mr. Speaker: I understand the hon. Gentleman's deep concern, but it is not a matter for me. Ministers can decide when they will come and make a statement.

Committee on the Grant of Honours, Decorations and Medals

12.33 pm

Mr. Don Touhig (Islwyn) (Lab/Co-op): I beg to move,

That leave be given to bring in a Bill to provide for parliamentary scrutiny of the Committee on the Grant of Honours, Decorations and Medals.

The committee is commonly known as the HD committee. This powerful, secretive but completely unaccountable committee has caused grave offence to veterans and to what is probably one of the few Muslim countries in the world that wants to honour British servicemen. My Bill would require the Foreign Secretary, under whose jurisdiction the committee falls, to publish an annual report on its work and to lay that report before Parliament. Within four weeks of its publication, there would be a debate in the House on a motion expressing approval for the report. Through that vote, the House could give its view on the committee's actions during that year.

If the House voted against the motion, a clear warning would be sent to the HD committee, and its chairman could be called before the Foreign Affairs Committee to explain his committee's actions. If the Bill became law, the decisions of the HD committee would become as open and transparent as they are currently unaccountable and arcane.

At present, the situation regarding the honours and decorations awarded to British service personnel and veterans is completely unacceptable. The HD committee is free to make confusing and even whimsical rulings about which medals can be awarded, accepted or worn, without any obligation to give a clear rationale for its decisions. It does not publish its minutes or its correspondence, and it appears that no one outside the committee has anything but the vaguest idea about how its decision-making process works. In answer to a parliamentary question that I tabled to the Foreign Secretary on 13 March, I was told that the committee normally transacts business by correspondence, and only met three times during 2005 and 2006.

No one in this House would disagree that honouring our servicemen and women is a matter of the greatest importance, yet the decisions on who is entitled to recognition are taken by a body that does not answer to any elected authority whatsoever, seldom meets, and never has to explain or account for its decisions. Surely, in an era of openness and transparent government, it is unacceptable to have a committee that rules on the important matter of decorations and medals which meets on an ad hoc basis and whose discussions are confidential.

The arcane workings of this committee might never have been brought to light but for the disgraceful treatment that it handed out to 35,000 British veterans of the 1955-1966 Malaysian campaign. The HD committee advised Her Majesty the Queen to allow the veterans to accept the Pingat Jasa Malaysia medal, or PJM, from the Malaysian Government, and then advised Her Majesty that our soldiers must not wear it—British veterans who fought in the jungles of Malaysia shamefully treated by mandarins who fight in

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the jungles of Whitehall. That bizarre ruling has created great offence among British veterans and bafflement on the part of the Malaysian Government. Surely any chance of strengthening our relations with Malaysia—a predominantly Muslim country—should be welcomed at this time.

Colleagues in all parts of the House, veterans organisations, and even Ministers of the Crown, have all made representations to the committee to change its advice, but it has remained obstinate in its refusal to do so. An illustration of the widespread support for veterans wearing the PJM occurred last year when I tabled early-day motion 356. It attracted 176 signatures calling on the committee to change the advice given to Her Majesty the Queen on the wearing of the PJM. The right hon. Member for East Hampshire (Mr. Mates) tabled a similar EDM, and that too attracted a large number of signatures. Both EDMs were met with a wall of silence by the HD committee.

The committee has hidden behind antiquated rules such as the "double medalling rule", which says that when a British award has already been given for the same service, another one cannot be accepted. Then there is the "five-year rule" preventing the acceptance and wearing of non-British awards for events or service that took place more than five years ago. Both those rules are being used to stop veterans wearing the PJM, but their application is confusing and anything but consistent. In a written statement on 31 January 2006, my hon. Friend the Member for Dudley, South (Ian Pearson), the then Trade Minister, who also served as a Foreign Office Minister, said:

> "The Committee on the Grant of Honours, Decorations and Medals...has recommended an exception to two of the long-established rules governing the acceptance and wearing of foreign...awards".—[*Official Report*, 31 January 2006; Vol. 422, c. 10WS.]

In other words, the committee put aside the rules to allow the Malaysian veterans to accept the PJM, then imposed the rules to prevent them from wearing it on public occasions.

But there is more. The committee then went on to lift the ban on our veterans wearing the PJM for one week during the 50th anniversary of Malaysia's independence, which it celebrated last year. Why did it do that? Because as Queen of Australia and New Zealand, Her Majesty the Queen has given permission for the PJM to be worn by the veterans of those two Commonwealth countries, and as a large number of British ex-servicemen were expected to visit Malaysia during the celebrations, it was feared that the prospect of Commonwealth veterans parading wearing their PJM alongside British veterans who were not allowed to wear their PJM would cause embarrassment in the media in Malaysia and in Britain. What a shameful way to treat our brave soldiers.

In December 2007, my hon. Friend the Member for Pontypridd (Dr. Howells), the Minister of State, Foreign and Commonwealth Office, said in response to a debate in Westminster Hall that

> "the HD committee has considered the case of the PJM three times, the third time to agree to wearing the medal in Malaysia during the 50th anniversary celebrations."

He went on:

> "Having considered it in such detail, carefully weighing up the arguments for and against... the committee does not plan to reconsider the matter".—[*Official Report, Westminster Hall*, 11 December 2007; Vol. 469, c. 43WH.]

My hon. Friend has been very supportive; I know that he gave the news with a heavy heart, and that he is as perplexed as the rest of us by the committee's decision.

As things stand, a House of Commons elected directly by the people of Britain is powerless to do anything about the committee's decisions. This House, directly elected by the people of Britain, is unable to scrutinise the decision of a committee of unelected mandarins. I have met and spoken to many veterans of the Malaysian campaign, and their bravery deserves better than the miserable treatment handed out by the HD Committee. It shows more concern for the niceties of precedent and upsetting the status quo than for honouring our veterans. The inability of the House of Commons to debate or scrutinise the HD committee's decisions is anathema to parliamentary democracy and has no place in the modern world. My Bill would mean that the decisions of the HD committee would at last become subject to rigorous parliamentary scrutiny and debate. It would ensure that the decisions, and the process of how those decisions are made, stand up to examination.

This House is to have the ultimate responsibility of asking servicemen and women to risk their lives for our country in times of war and armed conflict. Surely, then, this House has the right, indeed the duty, to look after their interests and make the HD committee answerable to Parliament for its actions. Some will argue that the issue of medals is sensitive, and should not be brought into the public domain. If they do, I ask them the following question. Every year a report is brought to Parliament on the working of the British intelligence services. If this House can scrutinise the work of Britain's security services, why can it not scrutinise the work of the HD committee?

There is no excuse for the total unaccountability of the HD committee, and there is no excuse for its behaviour towards our veterans. Its action brings shame on the British nation. It is time to subject its decisions and deliberations to the scrutiny of Parliament and ensure that brave and courageous servicemen, such as the veterans of the Malaysian campaign, can never again be subject to such disgraceful treatment. I commend the Bill to the House.

Question put and agreed to.

Bill ordered to be brought in by Mr. Don Touhig, Mr. Adam Ingram, Jim Sheridan, Linda Gilroy, Mr. Michael Mates, Mr. James Gray, Miss Ann Widdecombe, Mr. Michael Ancram, Bob Russell, Pete Wishart, Malcolm Bruce and the Rev. Ian Paisley.

COMMITTEE ON THE GRANT OF HONOURS, DECORATIONS AND MEDALS

Mr. Don Touhig accordingly presented a Bill to provide for parliamentary scrutiny of the Committee on the Grant of Honours, Decorations and Medals: And the same was read the First time; and ordered to be read a Second time on Friday 17 October, and to be printed [Bill 112].

Orders of the Day

Regulatory Enforcement and Sanctions Bill [*Lords*]

[Relevant document: Seventeenth Report from the Joint Committee on Human Rights, HC 501.]

Order for Second Reading read.

12.42 pm

The Minister for Employment Relations and Postal Affairs (Mr. Pat McFadden): I beg to move, That the Bill be now read a Second time.

Well-targeted regulation ensures essential rights for consumers and workers. It is a mark of a civilised society. It is necessary to protect our environment, and it is needed to tackle market failures and to establish the simple, clear and consistent rules that businesses and public services need to operate successfully. But too much regulation and poorly targeted interventions can lead to unnecessary costs that could hold back UK businesses, charities and public organisations. That is why the Government have developed an ambitious better regulation agenda that aims to eliminate inappropriate regulatory burdens, wherever they exist. I am pleased to report to the House that that is already bearing fruit.

Mr. William Cash (Stone) (Con): I am glad to hear that the plan is already bearing fruit. Commissioner Verheugen said that over-regulation was costing the European Union some £600 billion a year. How will the Minister reconcile the Bill with the fact the European Communities Act 1972 applies in any event? Will the Bill override the European Communities Act? Will he apply the simple principle of the supremacy of Parliament to ensure that we achieve regulation in the way that the House wishes, and not necessarily follow the European Union?

Mr. McFadden: The hon. Gentleman asks several questions. The Bill will not change the fundamental relationship between the United Kingdom and the European Union, or the way in which that legal regime operates. He will be glad to know that the United Kingdom has led the way in driving an agenda to cut administrative burdens that are caused by European regulations and laws. As I was about to inform hon. Members, our work in the United Kingdom has already delivered some £800 million of reductions in administrative burdens to business.

Mr. Peter Bone (Wellingborough) (Con): I serve on the Joint Committee on Statutory Instruments, which considers everything that is drafted. We have a splendid team of professionals and we correct and improve our regulations. However, we are not allowed to do that for European Union regulation. That cannot be right. There must be a mechanism for overruling that, so that we can improve and clarify EU regulations. I am sure that the Minister wants to do that.

Mr. McFadden: I commend the work of the Joint Committee on Statutory Instruments in improving regulations. I can only repeat what I said in response to the hon. Member for Stone (Mr. Cash). The Government have led the way in ensuring that the process of measuring and targeting administrative burdens for reduction, which we have undertaken for the past couple of years in this country, also happens at European level. We know that we need to do more to ensure that Britain retains and improves on its position as a great country in which to do business and invest. Later this summer, we will consult on a radical new system of regulatory budgets, which will set out the cost of new regulation.

Mr. Cash: I am grateful to the Minister for giving way again—I appreciate that we have covered the territory previously, but we are considering a specific measure. Under clause 4, the Secretary of State can provide for orders to be made for approximately 200 enactments, some of which are enormously important to running the country. Many emanate from the European Union. Subsection (4) provides that

> "The Secretary of State may by order… remove any enactment"

from the list. Given the Minister's answer to my previous question, how can the Secretary of State do that—inconsistently with the European Communities Act—unless the Government include the specific provision, "Notwithstanding the European Communities Act 1972" to reassert this Parliament's supremacy?

Mr. McFadden: As I said, the Bill does not alter the fundamental relationship between UK law and European law. We recently debated the European treaty at length, and the Bill to enact it. During those proceedings, the relationship between European law and its jurisdiction and UK domestic law was also debated at length. The Bill does not alter the relationship, to which we signed up when we joined the European Union.

As I said, we will consult on a new system of regulatory budgets, which will set out the cost of new regulation that can be introduced in a given period. We will also introduce a rolling limit on the annually recurring costs of new regulation. More immediately, the Bill will make important legislative changes to the UK system of regulatory enforcement.

Part of the background is Sir Philip Hampton's report on administrative burdens, inspection and enforcement in 2005. It highlighted the difficulties that can follow from the inflexibility and inconsistency of the existing regulatory system. That is not acceptable, either for business or, indeed, for Government, and the Bill helps to address the issues raised by the report by ensuring a regulatory framework in which we regulate only when necessary, and in clear proportion to the risk, rationalise inspection and enforcement arrangements, and focus enforcement resources on businesses that deliberately or consistently flout their regulatory responsibilities.

The Bill will help to strengthen regulatory compliance, maintain appropriate protections for the public, and reduce regulatory burdens for compliant organisations. Part 1 will create in statutory form an expert body—the local better regulation office—with a remit to improve the way in which Government, regulators, and local authorities work together to

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enforce regulations. Given the important regulatory role of local authorities, that is an important way of ensuring improvements.

Andrew Miller (Ellesmere Port and Neston) (Lab): My hon. Friend referred to the local better regulation office as "an expert body". From where does he expect the experts to be drawn, and how will they be appointed to the office?

Mr. McFadden: In the existing LBRO company, there is expertise in business, for example, and from people with a trading standards background, which is extremely important in this field.

Mr. David Kidney (Stafford) (Lab): To underline the importance of local government, does my hon. Friend agree that four out of five regulatory inspections are carried out at local authority level? I recently met Graham Russell, the chief executive of the new LBRO, whom I know because he is a former head of trading standards in Staffordshire. He expressed confidence in the organisation's ability to cut through complexity and establish light-touch risk-basked regulation in future. He said that the benefits of the measure would be fewer burdens on responsible businesses, with resources concentrated on tackling rogue traders.

Mr. McFadden: My hon. Friend puts it extremely well: that is precisely part of the intention behind the LBRO, and we are extremely grateful for the opportunity to draw on trading standards expertise, which is important for this agenda.

Mr. Bone: The Minister has been extremely generous in giving way. I know that many Members wish to speak in the debate, so I shall keep my intervention brief. Could he not just have made an edict that regulators should concentrate on companies that are rogue traders? He did not need to set an office to do that.

Mr. McFadden: If I go into more detail about the Bill's provisions and how they will operate, that may help the hon. Gentleman.

Joan Walley (Stoke-on-Trent, North) (Lab): Will my hon. Friend give way?

Mr. McFadden: I shall, but then I should like to make progress.

Joan Walley: Given what my hon. Friend has just said about the membership of the new LBRO and the importance of drawing on the expertise of trading standards officers, will he give the House an assurance that there will be an opportunity to involve environmental health officers who, along with trading standards officers, play an important role in making sure that public health standards are of the highest calibre?

Mr. McFadden: I can assure my hon. Friend that the LBRO will want to draw on all relevant expertise in its task.

Part 2 establishes a statutory framework to deliver increased certainty and consistency of treatment for businesses that operate across local authority boundaries. By granting these businesses the right to refer a primary authority to inform how that business should be regulated—that is particularly relevant to businesses that operate across a number of local authority areas—part 3 will give regulators access to a suite of more flexible and proportionate civil sanctions to promote better compliance with relevant regulations. That measure has been welcomed by many leading business organisations. Part 4 will bring increased accountability and effectiveness to the way in which regulators work in practice. It is not enough simply to count the number of regulations on the statute book: the way in which regulation works in practice is extremely important for this agenda, and the focus will be on the removal of unnecessary burdens.

The measures will better protect the public, boost business confidence and bring increased clarity and consistency to the work of local authorities and national regulators. Together, they will help build a more open, simpler and coherent regulatory enforcement system which is transparent, professional, and proportionate; which does not criminalise inadvertent or minor breaches of regulatory requirements; and which does what my hon. Friend the Member for Stafford (Mr. Kidney) said, and tackles rogue traders more effectively.

May I set out in a little more detail what the measures do? Part 1 establishes the LBRO. Local authority professionals play a critical role in the enforcement of UK regulation, and those services are rightly proud of the support and advice that they provide to help businesses comply with the law. For example, Cambridgeshire trading standards has built an award-winning partnership with local businesses that continues dramatically to reduce the sale of age-restricted goods such as alcohol to children. Local authority enforcement officers operate within a complex system, with hundreds of local authorities interpreting and enforcing regulations set by Government Departments and regulators.

Part 1 will create a new statutory public corporation—the local better regulation office—to work with all parts of the system to help local authorities carry out their regulatory functions effectively and in line with better regulation principles. We have already established the LBRO as a company, and the Bill will give it statutory form, with the powers and duties that it needs to take its work forward. That includes a power to give guidance to local authorities on better regulation matters, to which those authorities will be required to have regard, as well as a right to advise Ministers and make proposals about the framework that central Government set for the work of local authorities in practice.

Judy Mallaber (Amber Valley) (Lab): The day before yesterday, the Select Committee on Regulatory Reform took evidence from LACORS—Local Authorities Co-ordinators of Regulatory Services—which made the precise point that the LBRO should not just tell people what to do but should provide guidance and assistance, and should offer a mechanism for taking its concerns to the heart of Government Departments.

Does such a role and relationship mirror what my hon. Friend hopes will be developed?

Mr. McFadden: It is certainly the case that the LBRO's functions include advice to central Government as well as to local authorities. It has rightly been argued that the powers that the LBRO will enjoy must be balanced by sufficient safeguards to protect local authority interests. The Bill includes a number of measures to achieve that, particularly in respect of the LBRO's ability to issue directions to local authorities. That is subject to the strict requirement for consultation and, where more than one local authority is involved, for parliamentary approval.

Part 1 will make a major change to the way in which central and local government can work together on this agenda, and it will deliver real and lasting benefits to organisations, business and consumers. Part 2 deals with the primary authority principle, which is important, as some nationwide firms deal with up to 400 local authorities. The Hampton review highlighted the impact of inconsistencies in the different approaches adopted by local authorities to regulatory compliance and enforcement for businesses whose operations extend across more than one local authority area. Whatever business says about regulations, one thing that it wants is clarity. Conflicting advice and inconsistent enforcement can militate against clarity and increase business uncertainty and risk. For example, a challenge to the way in which a food product is labelled in just one local authority could mean the business concerned having to revise its entire policy throughout the country, with significant costs.

An attempt has been made to deal with that problem through the principle of home and lead authority schemes. That has gone some way towards resolving the issues, but such schemes are still informal and voluntary, and are not always open to those businesses that urgently need them. Part 2 will therefore provide a framework to guarantee more consistent regulatory treatment of businesses that operate across multiple local authority boundaries. The primary authority principle enshrined in the Bill will ensure that where a business and a local authority have committed time and effort to developing a productive advisory relationship, there should be a presumption that advice given to that business will hold good throughout the country, except where there are good reasons for local variation.

Andrew Miller: My hon. Friend is making an important point about the outcomes of the Hampton review. Is there a parallel in the Bill to address the needs of consumers, where scams are operated that cross boundaries? He mentioned Cambridge, whose city council was incredibly helpful to me when I was pursuing a case that crossed boundaries. However, both the council and Cambridgeshire police authority faced problems because of current law. Does the Bill address that aspect, too?

Mr. McFadden: That aspect is addressed by the consumer law review, which is led by my hon. Friend the Under-Secretary of State. Part of the function of that review is precisely to support the kind of agenda that my hon. Friend mentions.

Mr. Kidney: Will my hon. Friend clarify one point about the primary authority? I am familiar with the way one local authority takes the lead when a business has many outlets throughout the country—usually it is the authority that hosts the head office of the company or the main point of business. Is that the approach being taken or is it likely that businesses will be able to choose their regulator? The latter could give rise to the worry that businesses might choose the softest authority to be the lead.

Mr. McFadden: There would have to be a good reason for a local authority to serve as the primary authority. There is also a mechanism in the Bill for an enforcing authority, as distinct from a primary authority, to appeal to the LBRO, if it thinks that the primary authority has made a mistake or that what might be called a sweetheart deal has been made between the primary authority and the company in question.

Mark Pritchard (The Wrekin) (Con): I am grateful to the Minister, a fellow midlands MP, for giving way. Although I endorse the sentiment of the Bill, is the fact that the Government have had to bring it before the House not an admission of failure, not least as the CBI has said that £55 billion-worth of regulation has been placed on British business since Labour came to power? In a sense, it is ironic that today we are regulating to deregulate.

Mr. McFadden: The Bill is certainly not an admission of failure. The regulatory reform agenda in the UK is widely admired. The country remains a great place to invest and this year the World Bank's "Doing Business" survey placed the UK second in the EU and sixth in the world for the best business conditions.

Anne Moffat (East Lothian) (Lab): My hon. Friend spoke earlier about continuity, clarity and relationships, which are important. He is right that the Bill is not a failure. However, I have a concern about the protection of employees and the relationship between the ombudsman and the new statutory body. Would that be a joined-up relationship?

Mr. McFadden: I know that my hon. Friend cares deeply about the protection of employees; and, as the Minister responsible for employment relations, so do I. I assure her that we will do nothing in the legislation that militates against proper and decent conditions for employees.

Judy Mallaber: In relation to the question that the hon. Member for The Wrekin (Mark Pritchard) has just asked, when the Regulatory Reform Committee took evidence from the Environment Agency yesterday, I asked which other European countries we could take a lead from, because we are visiting three next week to look into their regulatory reform procedures. One of our key regulators said that, if anything, we were in advance of other countries, as the Minister just indicated.

Mr. McFadden: It is beginning to sound like I could have done with being at yesterday's sitting of the Regulatory Reform Committee. I certainly endorse the

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idea that Britain is a leading force in that agenda throughout the world. As we know, success in today's economy is increasingly driven by better informed customers, empowered employees and enlightened companies that value their reputation across the world. To continue to create jobs and wealth for our country, UK businesses must be able to compete in that environment.

One of the other features that the Hampton report highlighted was businesses' frequent complaint of being undercut by rogue traders who flout regulatory rules. As a result, the Government asked Professor Richard Macrory to review the regulators' enforcement regimes. Professor Macrory found that most regulators were over-reliant on the single weapon of criminal prosecution, which he found was a potentially disproportionate response to cases where there is no real wilfulness or intent on behalf of the business concerned and, paradoxically, led to a compliance deficit, whereby breaches of regulation go unpunished because a regulator lacks alternative methods of enforcement.

To address that deficit, part 3 will introduce new civil sanctions the better to target rogue traders and deal more appropriately with well-meaning businesses that find that they have contravened regulations in one form or another. The Bill enables Ministers by order to select options from a range of new civil sanctions. They include: discretionary requirements to allow the regulator to require the business to take steps to put right a situation that has followed from a breach of regulation; and monetary penalties, so that regulators can impose financial sanctions, if appropriate, at various levels.

Andrew Miller: Clause 71 says that "civil sanction", for example,

"means a fixed monetary penalty".

However, I cannot see—perhaps my hon. Friend can guide me—on what scale that would be.

Mr. McFadden: There could be various scales, because there is also the capacity for variable monetary penalties, which is an important part of the regime. In addition, there can be enforcement undertakings that present a fundamental change to the traditional relationship between the regulators and businesses. In certain circumstances, such undertakings would allow the business to volunteer alternative ways of making good the harm arising from the breach in question.

Mr. Bone *rose—*

Mr. McFadden: For the third time, I am happy to give way.

Mr. Bone: I am extremely grateful to the Minister, as we are talking about an important measure. He is making a logical case, but I have not been able to find out how many fewer prosecutions will occur because of the new regulations. Does he know whether prosecutions will be reduced by, say, a half or 10 per cent.? What research have the Government done in that area?

Mr. McFadden: We have conducted an impact assessment on the savings to business, which I shall come to. There could still be prosecutions for more serious offences, but the number of prosecutions will depend on the number and nature of any offences committed.

Some have suggested that the provisions will oust the jurisdiction of the criminal courts. The provisions in part 3 provide an alternative to criminal prosecution, but prosecution will remain the right course of action for the more serious breaches of regulation. We do not want to criminalise well-meaning businesses unnecessarily, but we of course reserve that option for the more serious and consistent offenders.

Mark Pritchard: On the point about quantifying these issues, in Prime Minister's Question Time, the Prime Minister indicated his support for the private Member's Bill promoted by the hon. Member for Ellesmere Port and Neston (Andrew Miller) on agency and temporary workers. Will the Minister take this opportunity to put on record and quantify the cost to British industry of the Prime Minister's comments today?

Mr. McFadden: We will publish any cost estimates and other information on that in due course. I do not want to get drawn into too long a debate on this issue, but, as in other fields, we have tried to achieve a method of meeting our goal while retaining the flexibility on which the country's high employment record has been built. That will be our intention going forward.

I was talking about prosecution. It is true that the courts will play an ongoing role with the most serious offenders. It has been suggested that, through the variable menu of enforcement actions, regulators will somehow be acting as judge and jury, with no checks on their powers, but I assure the House that that is not the case. The Bill contains a number of essential safeguards. It makes it clear that a Minister can confer powers on regulators only if the Minister is satisfied that they are capable of exercising those powers in compliance with better regulation principles. Before regulators can impose monetary penalties or discretionary requirements, they must be satisfied beyond reasonable doubt that an offence has been committed. Businesses can make representations and objections before sanctions can be imposed, and, most importantly, there is a right of appeal to an independent and expert tribunal. Furthermore, regulators that misuse their powers could risk the suspension of such powers.

We have worked hard to ensure that the regime of variable sanctions can work appropriately, and we believe that its operation could bring significant savings to business. The Engineering Employers Federation says, on this point:

"EEF supports the principle of alternative penalties for regulatory offences as a mechanism for reducing demands on court time, speeding up the process of enforcement and sanctioning, and reducing the costs associated with this for businesses."

Mr. Graham Stuart (Beverley and Holderness) (Con): Notwithstanding that quotation, there is a lot of disquiet within industry that many such fines might be slapped on to businesses. The Minister said that regulators will not act as judge and jury, but then proved that that is exactly what they will be by saying that affected businesses will be able to appeal afterwards. That will not stop the initial effect. The truth is that before going to an expensive and administratively challenging appeal, businesses could be subject to overuse of the regulations. There are concerns.

Mr. McFadden: The hon. Gentleman contradicts himself. He says that regulators will act as judge and jury despite the fact that there will be an appeal to an independent tribunal; the very fact that there is an appeal process shows that that is not the case. This is not the first time that civil sanctions have been used; indeed, I have looked up some precedents. The last time that the hon. Gentleman's party was in power, Companies House introduced a regime of civil sanctions for the late filing of accounts, and I am pleased to tell him that it increased compliance. There is a precedent, and it was introduced when his party was in power.

On the costs and benefits of the measures, taken together, we estimate that the overall benefits for business could be up to £200 million through better enforcement, lower legal costs and the variety of enforcement actions.

Judy Mallaber: Will my hon. Friend discuss with local authority organisations their ability to use the civil courts and to have representation in them to ensure that they are able to take cases through those procedures rather than just through the criminal courts? I know that they still have concerns about their ability to get an audience in the civil courts and about costs. I do not know the details of those issues, but will he discuss them further with those organisations?

Mr. McFadden: I am always happy to discuss such matters with local authorities.

Part 4 will create a power for Ministers to apply a duty to regulators requiring that they keep their functions under review and do not impose or maintain unnecessary burdens. It is envisaged that the power will be used where the duty will help to promote better regulation and a more accountable approach. Where the duty has been applied to a regulator, the regulator would need to report on the action taken.

I am grateful to the regulators who participated in our informal consultation on this part of the Bill. They emphasised that action to remove burdens must be proportionate, and that the benefits delivered must outweighs the costs. The duty therefore requires the removal of unnecessary burdens where it is practicable and proportionate to do so, and aims to deliver more robust enforcement of regulations. There is no intention to remove the protections that Parliament considers to be necessary, or to bog down regulators in a process of review that has been generated by frivolous complaints. Nor is the duty intended to apply in response to a particular decision by regulators in the competition field—for example, in such a way as to undermine decisions in competition cases. In most cases, a statutory instrument will be needed to apply the duty, which will be subject to the affirmative procedure. We know that that is a strong parliamentary safeguard.

Provisions on this issue were refined in the other place, and the five regulators named in the Bill asked to be included in order to emphasise that the duty in no way compromises their independence. Therefore, this part of the Bill will ensure that the enforcement of regulatory protections supports the best possible framework to enable British business to compete and succeed in today's global environment.

I draw my marks to a close by paying tribute to the hard work and expertise of those involved in scrutinising the draft Bill. The Bill has been improved as a result of that scrutiny, and the work that has already taken place to get the provisions right, which has involved businesses, the enforcement community and national and local regulators, provides a strong base for future implementation and enforcement.

The Bill contains an ambitious package of measures that will help to boost business competitiveness and productivity in this country. That will help to maintain our position, which the World Bank has stressed, as a great country in which to do business and to invest. It will also help to create a modern, flexible and robust regulatory system that will secure the better protection for citizens that we all want. It will deliver proportionate regulation and will boost certainty and competitiveness for the honest businesses that are creating wealth day in and day out in our country. All those aspects are essential to ensure that we have a dynamic economy.

Anne Moffat: Will my hon. Friend give way?

Mr. McFadden: I am drawing my remarks to a close, but I have been generous today, so I shall not stop now.

Anne Moffat: Thank you, Mr. Speaker. My hon. Friend has been very generous, but this is only my second intervention; some folk have been in about 14 times. I will thank you for it, but I will not apologise for it. Could you give an example of some of the mergers of national regulators? Who will be responsible for them? Will it be the new statutory body? Will it be you? Who will it be?

Mr. Speaker: Order. For the record, I will not be giving the hon. Lady any advice, but perhaps the Minister will.

Anne Moffat: I was thanking you anyway, Mr. Speaker.

Mr. McFadden: My hon. Friend is right to say that there has been a number of mergers of national regulators. We believe that the proposed process will provide greater focus, and we are determined to carry it through. The Bill is concerned not so much with mergers of national regulators as with how they operate and carry out their duties. The four parts of the Bill are designed to improve that operation and to create the right system for the future.

I conclude simply by saying that the Bill will boost certainty and competitiveness, and improve the accountability of regulators, which are essential to our economy and to the quality of life in this country. On that note, I commend the Bill to the House.

1.20 pm

Mr. Jonathan Djanogly (Huntingdon) (Con): Debates and Bills aimed at reducing the country's regulatory burden are always welcome to the Conservative party. However, we have been here before. Indeed, the Minister for Employment Relations and Postal Affairs and I have personally been here before, when we debated this exact issue at the time of the Government's last unsuccessful effort at regulatory reform, namely the Legislative and Regulatory Reform Act 2006—just two years ago.

The Minister welcomed that particular piece of legislation, arguing that it gave a power to remove unwanted regulations through legislative reform orders. Those provisions, however, were themselves designed to upgrade the failed regulatory reform orders that the Government had implemented some five years earlier. Looking back, we remember that great things were predicted in regard to slashing red tape in business. On 15 May 2006—almost two years ago to the day—the Minister said that the Bill would provide initiatives on

> "reducing the administrative burdens of regulation, consolidating and simplifying legislation to make it easier to understand and work with, and deregulation."

He continued:

> "It will also allow us to reduce administrative burdens, such as by simplifying administrative requirements for business when setting up a business or hiring staff, by ensuring that inspection is risk-based to reduce the burden on those who comply with regulation".—[*Official Report*, 15 May 2006; Vol. 446, c. 719.]

Such grand ambitions we had, back then! But did not that sound just a little bit like what the Minister predicted today? He said a moment ago that this Bill would provide lasting benefits to business, and, in his final flourish, that it would boost business competitiveness.

Last time, the practice turned out to be rather different from the theory. By the end of 2007, when the legislation had been in force for nearly a year, the *Financial Times* reported that the law had yet to cut or even amend a single regulation. An update from the Minister today on the outcome of the existing package of reforms would therefore be appropriate. Perhaps we should not be surprised that, in his opening remarks, he rather interestingly omitted to mention the Government's record to date. So here we are again. Is this going to be third time lucky? Given the Government's record of failure on this issue, the Minister will understand my, and business's, caution.

Mr. Graham Stuart: My hon. Friend is highlighting the fact that we are experiencing a deregulatory "Groundhog Day", ever to be repeated. This is not a day for party political partisanship, so I do not particularly want to dwell on the failures relating to endless criminal offences, the failure to make our streets safer, or the endless education Bills that have failed to make our schools better. I hope, however, that my hon. Friend will be able to persuade the Minister either to tell us that he will be back in 18 months when this legislation has failed, or at least to admit that he needs to go back to first principles, rather than imposing yet more regulations on top of the regulations that we already have.

Mr. Djanogly: If the Government's future record is going to be anything like their past record, we will indeed be back here in 18 months, unless they are preparing for a general election and do not have time to deal with more regulatory reform. My hon. Friend makes an important point. In its 2001 manifesto, the Labour party pledged to cut red tape. However, the British Chambers of Commerce's burdens barometer of 2007—presumably things have got worse since then—showed that the total cost of new regulations on business since Labour came to office stood at some £55.56 billion.

Judy Mallaber: As party politics have been introduced into the debate in the previous intervention, and as the hon. Gentleman is so interested in this issue, may I ask him to encourage the Conservative members of the Regulatory Reform Committee—a Committee set up by this House—to attend its meetings? Unfortunately, I have to leave this debate shortly to attend pre-arranged meetings. However, since I have been a member of that Committee, I have attended every meeting. I have seen only one Conservative member there, for a short period of half an hour, at one meeting. Please will he encourage them to turn up to the meetings of that Committee of the House, which was set up to look at this subject?

Mr. Djanogly: The hon. Lady has made her point, but if, as a Front Bencher, I were to comment on a Committee of the House, I am sure that people would jump on me from a great height.

We welcome the stated aims of the Bill. It seeks to implement the principles of risk-based and proportionate regulation. Those principles stem from the Hampton and Macrory reviews on regulation, and were generally welcomed by all parties in the House at the time. However, we remain to be convinced that the Bill, as drafted, will totally achieve those aspirations. Indeed, we have many serious reservations about significant parts of the Bill, in relation to its practical operation and its legal effect.

The Bill requires business to take a leap of faith. It proposes that regulators be awarded additional powers to sanction business, in exchange for a promise of a better regulatory environment. We recognise the concern expressed by the CBI that

> "in order to be comfortable with the awarding of these new powers to sanction business, employers need confidence that regulators will deliver their side of the bargain."

Indeed, we are concerned that much of the Bill could put small businesses—which are already buckling under the increased corporation tax and capital gains tax burdens placed on them by the Government—at a significant disadvantage.

The Conservative party is currently working on measures to drive out the "regulate first" culture in Whitehall, which has blossomed under this Government. This issue is very important to us. To that end, my hon. Friend the Member for Rutland and Melton (Alan Duncan), the shadow Secretary of State, has launched an independent taskforce, led by Sir David Arculus, to look into an overhaul of the regulation machine. All aspects, including the use of targets, management and training, and the vital need to address the wider cultural issues—including in the civil service—will be examined in order to make regulation the last resort rather than the first option.

In the meantime, the Conservatives welcome the mood music coming from the Minister about the need to reduce the burden of regulation. To be credible, however, he must put this into the context of the new regulatory proposals announced by the Prime Minister last week. An example is the regulations dealing with agency workers' rights. They were released to the press yesterday without a ministerial statement being made to the House, and with no indication of their cost to business, which is likely to be huge.

Neither we nor the business community have forgotten the record of this Government to date. Despite their manifesto promise to cut red tape, they have presided over a £65 billion rise in the cost of regulation since being elected, or the equivalent of 40 new regulations every working day. The Federation of Small Businesses has calculated that the average small business now spends some seven hours a week simply complying with Government red tape. Some people argue that this is all the fault of the EU, yet the evidence shows that, all too often, the Government gold-plate EU directives. The British Chambers of Commerce estimates that the UK's average elaboration ratio—as it calls it—for 100 directives implemented between 1998 and 2002 was 334 per cent. In other words, the Government provided three times the verbiage and potential regulation in relation to EU directives than it needed to.

The result is that the cumulative burden of regulation is now deterring small companies from creating jobs. Over the past few years, we have seen a steady decline in the proportion of small and medium-sized enterprises that are employers. Today, seven out of 10 SMEs employ no one. As the chairman of the Forum of Private Business put it:

> "The fact of the matter is that there are no more employers than there were in 1997. This increase in the number of small firms is all about more companies without employees."

We have heard a lot of talk from Labour before about wanting to cut the regulatory burden on business. In 2001, we saw the introduction of the regulatory reform orders, which, we were told, would transform the process and lead to the scrapping of thousands of regulations. Yet the reality has been somewhat different. In 2005, the Cabinet investigated progress. In four years, Ministers had managed to identify only 63 possible laws that they were willing to tackle. Worse still, of those, they managed to implement only 27. Given that over the same period, there were more than 12,000 new statutory instruments, that was a dreadful indictment of Ministers failing to deliver on their promises.

Andrew Miller: I am sure that the hon. Gentleman was not seeking to manipulate the figures in a misleading way, but those 28 regulatory reform orders did not affect only 28 regulations. For example, the Regulatory Reform (Fire Service) Order 2005 covered dozens.

Mr. Djanogly: With respect, even if we acknowledge that it did—I am sure the hon. Gentleman is right in that respect—it does not change my overall point.

Then, when regulatory reform orders were clearly not working, Ministers introduced the Legislative and Regulatory Reform Act 2006, and I have already shown how ineffective it has been. We need to remember that this was the very Bill in which the Government proposed—and, thankfully, lost—their so-called Henry VIII clause, which would have allowed them to change any law or order without recourse to Parliament. I have to say that was one of the least inspired proposals to emerge from the Minister's Department.

After all that failure, people are entitled to ask what this third attempt at deregulation will offer the business community and, just as importantly, whether it is going to work. As the Minister explained, there are four main parts to the Bill, which I shall deal with in turn. In doing so, I congratulate my noble Friends on their work in the other place, but I reiterate that we do not feel that we are yet quite there.

As the Minister said, part 1 provides for the establishment of the local better regulation office. Its stated purpose is to promote greater consistency among local authorities and between them and central Government. The first two parts of the Bill stem, as I have said, from the Hampton and Macrory reviews, which established the need first for risk-based and then for proportionate regulation.

We support the general argument in favour of making regulations risk-based. As the Hampton review identified, if regulatory action is required, it is vital that it be drawn up and implemented in a way that relates directly to the risk it seeks to mitigate. All too often, regulations and their enforcers have acted in a way that completely fails to understand the scale of the risk involved and therefore the degree of regulation that is appropriate. That is the sort of calculation that, in practice, most businesses make on a daily basis, but naturally it is all too often missing in the public sector.

One example of the failure to take account of risk was provided by the Chartered Institute of Public Finance and Accountancy to the Hampton review. In 2002-03, local authority trading standard officers inspected 10 per cent. of all traders' weights, identifying inaccuracies in 6 per cent. of cases. Yet in the same year, they inspected 22 per cent. of all alcohol measures, even though only 2 per cent. were found to be inaccurate. Clearly, in that instance, resources could have been better allocated. The case in point also shows how small businesses—for instance, pubs—can feel the burden disproportionately. That is supported by a survey carried out by the FSB, which found that although two thirds of small businesses want to grow, half see regulation as

> "a serious barrier to growth".

The establishment of the LBRO follows on from the Hampton review and is the Government's response to the clear need to improve the quality and wide variance of local authority regulatory services. Those include trading standards, environmental health, licensing and fire and rescue services. We have a number of concerns about that.

First, we remain suspicious of the claim that it is realistic to assert that a single, small organisation will be able to deliver a step change in regulatory practice across nearly 500 much larger local authorities in England and Wales. To effect the kind of improvements

[Mr. Djanogly]

needed on poor performance, regulators will need a change in the internal management, training and culture of that organisation. How realistic is it that the LBRO could deliver that on its own? We think that that needs to be looked into further. Secondly, why do the Government believe that the answer to the problem of poor regulation locally is to create another super-regulator—a point raised by my hon. Friend the Member for Wellingborough (Mr. Bone) earlier?

Andrew Miller: The hon. Gentleman cannot have it both ways. We often hear from Conservative Members that so many local authorities are Conservative controlled—a matter of fact, as it happens. Is it not within the hon. Gentleman's party's control to determine the degree of light touch to which local authority regulators work? Is there not prima facie evidence that we need some central co-ordination through the proposed LBRO?

Mr. Djanogly: Possibly, but the extent to which that is the case needs to be looked at further in Committee. People ask why the Bill introduces a super-regulator to regulate the regulators, which is another issue for careful consideration in Committee.

Thirdly, we are concerned about the precedent that clause 7 represents. As far as I can tell, the Bill would allow for the first time an unaccountable body to have the ability to turn mere guidance into direction—and not just its own guidance, but that of five other regulators, including the Health and Safety Executive, the Environment Agency and the Food Standards Agency. Until now, that power has been in the hands only of a Secretary of State, accountable to this House, and only for exceptional matters. This is a very substantial change, about which we still have significant concerns.

Part 2 is designed to establish "primary authorities" so that businesses operating in more than one local authority area can choose to be regulated by a single authority. We understand the concern of many small businesses or business organisations that the measure could unfairly create two regulatory regimes: one for larger firms and one for smaller firms. Thus, a large store would be able to choose who it would like to regulate it. Given the number of outlets, that would make it a very substantial contract and the chief executive officer of that large store would no doubt wish to work with, say, a pragmatic business-friendly Conservative council offering the most efficient, least bureaucratic regime. So far, so fair. However, where does that leave the local convenience store in a business-unfriendly council area? As a small shop with one outlet, it has no choice. It will have to be regulated by the local regulator, and if it is badly run, it may be at an immediate disadvantage.

Equally, there is considerable potential for consumer confusion and bureaucratic dispute. If a complaint is made against, say, a store in one city, but the same store has chosen to be regulated by a different local authority, to whom do consumers complain and how can they be sure their complaint will be pursued? There are some serious issues to be debated.

Without significant levels of intervention from the LBRO, the system may not work. In order to make certain that there is consistent application of regulatory activities by local authorities, we need seriously to consider the suggestion that the LBRO be given powers to ensure that authorities that do not demonstrate adherence to the Hampton principles are called to account.

Andrew Miller: So the hon. Gentleman agrees with me that the LBRO should have overarching powers.

Mr. Djanogly: No, in that case, I am putting forward a concern of the CBI. It is a valid concern and I am saying that we should look further into it.

The Parliamentary Under-Secretary of State for Business, Enterprise and Regulatory Reform (Mr. Gareth Thomas): When the hon. Gentleman comes on to the detail of how the LBRO will work and, indeed, to deciding whether the Conservative party will support it, will he take into consideration the comments of the British Chambers of Commerce, which said:

> "We look forward to working with LBRO to improve the regulatory landscape... We welcome these proposals as a means to take forward the Government's commitment to ensuring a lighter touch on compliant businesses, but be tougher on rogue traders."?

Mr. Djanogly: I am sure that the Government will bear that in mind in their subsequent negotiations with business.

We also share the concerns voiced by the British Retail Consortium that the powers given to primary authorities to ensure co-ordination of regulatory enforcement have been much weakened since the recommendations of the Hampton review. As the Bill is drafted, local authorities must only "have regard" to an inspection plan agreed on by a business and a primary authority and endorsed by the LBRO. We should fear even more red tape if a primary authority can ignore an inspection plan that has been both costly and time-consuming to draw up.

The decision to allow primary authorities to charge for their services also rings legitimate alarm bells for businesses, which, of course, already pay for enforcement services through their local rates. If they used the primary authorities, could they be subjected to a regime of double taxation? Unless the powers of the primary authorities are bolstered, businesses may see them as just another unnecessary extra expense. We look forward to debating our concerns about this part of the Bill with Ministers, and establishing just how far the Government have thought it through.

Part 3 gives regulators a wide range of powers and sanctions, often involving fines, which can be imposed without recourse to the courts. We do not oppose civil penalties per se, but we feel that we should review the extent to which they should be restricted. As drafted, the Bill specifies no such restriction. Nor are the new powers being granted to a handful of public bodies; they are to be granted to a total of 27 different designated regulators, who will be able to fine in relation to offences arising from more than 140 enactments listed in schedules 6 and 7.

Andrew Miller: May I apply the same test that I applied to the Minister? I note that the Bill contains no apparent definition of the fixed penalties that could be imposed, but we are working on the presumption that they will be imposed on rogues. Does the hon. Gentleman envisage any limit to the scale?

Mr. Djanogly: Let me go back a step and say that I do not necessarily believe that the penalties will be attached to rogues. If there is to be a scale from caution to big caution to small fine to big fine to heavy-duty prosecution—a full scope of response, in other words—I do not think that someone who incurs a low-level fine should necessarily be called a rogue. I think that businesses that incur fines and have no recourse to arguing against them might object to being called rogues as well.

Andrew Miller *rose*—

Mr. Djanogly: I shall move on, if I may. The hon. Gentleman has had a good go.

On Third Reading in the other place, Lord Lyell said that in effect the Bill gave the regulators

> "the power to be investigator, prosecutor, judge, jury and sentencer".—[*Official Report, House of Lords,* 28 April 2008; Vol. 701, c. 26.]

That is a matter of great concern. The combination of wide powers being granted to a large number of unaccountable regulators for a long list of offences could be both disproportionate and unnecessary.

Mr. Thomas: I appreciate the anxiety expressed in the other place by the former Attorney-General about the possibility of regulators' behaving in the way that the hon. Gentleman has described, but will he acknowledge the existence of an important additional protection? When a business has been investigated and there are concerns about its performance, it can appeal to an independent tribunal. Is that not an important safeguard?

Mr. Djanogly: I think that it is important, and I also concede that this measure does not exactly constitute the Henry VIII abolition of Parliament-type clause that we saw in the "Leg and Reg" Bill which became the Legislative and Regulatory Reform Act 2006. However, we still have worries about the extent to which it will be applied. We are also worried about associated constitutional reforms that would give an all-powerful role to unelected bodies.

Mr. Bone: It is a fact that anyone who has ever run a small business and been faced with a regulatory fine, however wrong that fine is, has not the energy, the time or the money to appeal against it.

Mr. Djanogly: That is a good point with which we agree, and which was picked up by the CBI, which has said that there

> "should be the opportunity for independent review before a penalty notice is issued."

The British Retail Consortium regards the sanctions as "unacceptable", while the Forum of Private Business, in its response to the pre-legislative consultation, attacked the Government for trying to present the measure as a "simplification" and said that it regarded this part of the Bill as a "deal-breaker". Interestingly, the BRC also condemns the introduction of administrative penalties, believing that they would undermine the risk-based approach to regulation. If enforcement simply means handing out the equivalent of parking fines, how will that encourage better regulatory practice?

What is clear is that this part of the Bill could put small businesses at a significant disadvantage yet again. Whereas medium and larger businesses will be quite able to pursue the tribunal and appeals processes, most small firms will have neither the time nor the wherewithal. Ordinary people such as owners of small shops, farmers and drivers of vehicles are likely to feel compelled just to pay up and get on with trying to run their businesses and earn a living, rather than allowing their time to be taken up with such procedures. If we get these measures wrong, they could be deeply resented by many thousands of small businesses and sole traders across the country.

Part 4 creates a power allowing Ministers to require regulators not to impose or maintain unnecessary regulatory burdens. It would seem to be well intentioned, but I have been made aware of concerns expressed by the National Consumer Council, not least that there is a potential for this explicit and overriding measure to restrain the ability of regulators to protect consumers. We shall seek to explore that further in Committee.

The stated aims of Ministers are welcome, but we have heard all this before, and we remain to be convinced that the Bill will achieve those aims in its current form. We have other fears as well. We heard today of the Government's announcement of their intentions in relation to the Temporary and Agency Workers (Equal Treatment) Bill, which was the result of what I would describe as a classic "beer and sandwiches in Downing street" operation. I have still not seen the proposals, apart from what the papers have said, and I have since discovered that the same applies to many organisations. Given that the CBI has said that the regulation could cost British industry up to 250,000 jobs, I consider the absence of a ministerial statement and the Minister's failure to mention the matter during the debate to be cause for grave concern.

Mr. McFadden *rose*—

Mr. Djanogly: I shall continue, if the Minister will allow me, because this is an important issue. We are talking today about the Government's attitude to regulation.

Andrew Miller: It is the wrong context.

Mr. Djanogly: No, it is not. We are talking about changing the cultural values of Government, local government and other public bodies in regard to regulation. If those cultural values are to switch to beer and sandwiches at No. 10 Downing street in order to wrap up regulation, I am gravely concerned about how the Bill will deliver anything like what the Government are proposing.

Mr. McFadden *rose*—

Andrew Miller *rose—*

Mr. Djanogly: I give way to the hon. Member for Ellesmere Port and Neston (Andrew Miller).

Andrew Miller: The 250,000 figure that the hon. Gentleman cited does not relate to yesterday's announcement, and is any event based on a speculative view similar to that which was expressed when Labour introduced the minimum wage. The view proved to be false then, and it will be shown to be false now.

Mr. Djanogly: As the hon. Gentleman is well aware, the figure relates to his very own private Member's Bill, on which the Government will presumably base their further reforms.

Mr. McFadden *rose—*

Mr. Djanogly: I will now give way to the Minister.

Mr. McFadden: I thank the hon. Gentleman for finally giving way. Does he accept that the CBI's estimate of job losses related to the private Member's Bill introduced by my hon. Friend, and not to the agreement that it negotiated and to which it signed up yesterday? Does he accept that those are two different things?

Mr. Djanogly: The Minister is right in so far as the Government's beer-and-sandwiches deal is separate from the private Member's Bill that was pulled today. However, he should tell the full story, and reveal that the CBI described his deal as the "least worst option". We need to get to the bottom of the extent to which it is the worst option. The House has not been told what will be the impact on British business of his proposed deal with the unions, and he should tell us that at the earliest opportunity. The private Member's Bill was never about defending workers from exploitation, as the hon. Member for Ellesmere Port and Neston announced at Prime Minister's questions earlier today. That is covered by existing legislation, and it will also be covered by the Employment Bill, which the Government are separately bringing before the House.

What we have opposed and will continue to oppose is a one-size-fits-all straitjacket of regulations that will destroy the flexibility that is key to the British workplace. Given that more than 90 per cent. of businesses are small and that large sections of the Bill could make things worse for them, we do not believe that the net effect of this Bill will necessarily be good for business. Therefore, although we will not oppose the Bill today, if it becomes clear in Committee that our concerns are justified, we will have no hesitation in voicing our opposition at the appropriate stage.

1.50 pm

Sarah Teather (Brent, East) (LD): As I was listening to the previous speeches, I could not help thinking that this is perhaps the first time I have debated something other than post offices with the Minister. Therefore, this must be a moment of light relief from his usual diet of at least six post office Adjournment debates a week.

As the Minister said in his opening remarks, this Bill was born out of the recommendations of two reviews. The Hampton review focused on the need for regulation to be risk-based and proportionate and looked at the scope for reducing regulatory burdens on business, and it identified the need for better co-ordination between regulators and for less duplication.

Of the two reviews, the Macrory review, if fully implemented, will probably have the greater impact on the practice of regulators. It recognised that much current enforcement is not effective in changing the behaviour of businesses and recommended a shift to the use of civil sanctions, including fixed penalty notices, as well as many more innovative ideas such as restorative justice and new criminal sanctions.

Inasmuch as the Bill recommends greater co-ordination between regulators and the use of civil sanctions as a quicker means, in certain circumstances, of changing the behaviour of businesses than lengthy processes through courts, I and my party will support it. We support the premise of the Bill; we are signed up to the intention behind it, and we will support it on Second Reading. However, we still have doubts about whether all the detail in the Bill will result in the changes of behaviour that the Minister hopes for, whether some of the sanctions proposed will increase or decrease the regulatory burdens on business, and whether there is adequate understanding of the role of local authorities in the prescriptions for the regulator. We will want to explore such matters in Committee—some for clarification alone, and some for amendment.

I recognise, however, that the Bill did change during its passage through the other place, which is welcome. The requirement for criminal levels of proof before making civil sanctions is a good step, as is the decision to set out in the Bill a requirement for an appeals procedure, although its full implications need to be further explored in Committee. The agreement that the Minister should satisfy himself that a regulator is essentially Hampton-compliant before it can receive any further penalty powers is also broadly to be welcomed, although I would like to explore in Committee how that Hampton-compliance is to be assessed.

Most welcome, however, was the acceptance of a need for a review of the LBRO's operation after three years. I hope that this change signals the Government's conversion to the principle of sunset clauses. For some time the Liberal Democrats have argued that one of the most effective ways of ensuring that we do not increase the regulatory burden on business without clear benefits would be to have a sunset clause on new regulations, whereby each new regulation came back to the House to be approved and we decided whether the regulation needed to be in place now or whether its time had passed.

The key principle of good legislation is that it should be easy to enact. Those being regulated need to understand why they are being implored to behave in one way or another, and they need easily to be able to find out whether they are operating within the law.

Mark Pritchard: The hon. Lady touches on the important issue of burdens and costs of regulation on business. Does she accept that currently the majority of new regulation in the UK comes from Europe? If so, why does her party insist on slavishly following European directives instead of standing up for British business? Her party would also sign up to the euro, which would create restrictions in monetary and fiscal policy.

Sarah Teather: I do despair of the Conservatives; they manage to get Europe into every possible debate. I am not going to get into a lengthy debate about it now, as I want to talk about the Bill. This is a Second Reading debate and I will deal with the Bill. I will not get drawn into wider discussions, as I suspect that if I were to do so I would be ruled out of order. Mr. Deputy Speaker is already looking at me far from approvingly.

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. Let me reassure the hon. Lady that other hon. Members might be ruled out of order if we start to steer off course, but she need not worry too much.

Sarah Teather: Thank you, Mr. Deputy Speaker.

I was making a point about the tension between the need to have legislation that protects consumers and the need to ensure that it does not overburden businesses. I recognise that it is always extremely difficult to strike that balance. Businesses constantly ask for less regulation, but it can be difficult to identify a specific measure that we want to remove. That, I argue, is why we need sunset clauses, which are one of the simplest ways of ensuring that regulations on business are appropriate and proportionate.

Regulations must also be enforced. Consumers, the public and law-abiding businesses must have confidence in the system and know that competitors that flout the law will be dealt with properly and will not gain a commercial advantage. The key to this is speed. The Macrory review identified the fact that enforcement action that is possible only through a lengthy legal route is a blunt instrument for dealing with many minor offences, and, similarly, that its length and complexity is often a disincentive to regulators using their full powers.

I have seen example of that in my own constituency. Neasden goods yard is within a densely populated residential area. A number of companies operate from the site in waste transfer, handling paper and construction materials. Complaints about dust and environmental pollution, and the antisocial behaviour of lorry drivers using the site, go back at least a decade. One operator in particular, Alloyde II, consistently flouted the advice and guidance given to it by inspectors from the council and the Environment Agency and flouted the conditions of its licence. At one stage in 2006, pollution levels from the site far exceeded safety limits on more than 90 days of the year—and that was only part of the way through the year. But the story of enforcement action against the company was a frustrating one for local residents. The council and the Environment Agency for a long time seemed to be incapable of working together to solve the problem, with each offloading the blame on to the other, until eventually a political change in the council administration led to the issue becoming a priority and the council put pressure on the EA to deal with it. Inspectors from both the council and the EA seemed incapable of co-ordinating their action, and the only real route for the EA to follow was a lengthy legal battle to revoke the company's licence. At each stage, the company appealed, allowing it to continue operating and so continue to cause misery to the people of Neasden and Dudden Hill.

In retrospect, I wonder whether early co-ordination between the council and the EA and a hefty rapid fine might have resolved this issue for residents. It was certainly worth Alloyde's while to continue to take its chance that regulation would take a long time to come to fruition and close it down, because it was able to make profits in the mean time. It seemed to local residents that money was one of the only things the company understood.

I tell this story because although much of the focus of the debate has been on the need for regulators to work together to minimise unnecessary burdens on business, there is another reason why they need to work together: to ensure that enforcement action is effective against irresponsible businesses who consistently flout the law. In Committee, I shall judge this Bill on the extent to which it will deliver both those things and not just one.

That is not the only issue I want to explore in Committee. The Minister mentioned the potential for variable penalties and I would like to explore the scale of that in Committee. There is a danger with small fixed notices becoming a levy that large businesses are prepared to pay to go on flouting the law. There is also a danger of catching other businesses that, as the hon. Member for Huntingdon (Mr. Djanogly) said, might innocently break the rules. For small businesses, the impact may be disproportionate: a small shop that makes a mistake storing food is not in the same league as a large laboratory tipping biological waste into a local reservoir.

The Minister mentioned the precedents for civil sanctions. The obvious precedent is the Financial Services Authority, which has long since had powers to fine companies that breach market rules. The size of the penalty depends on certain factors, including the track record of the business, its size and the impact on it. We need to explore that further in Committee. It is essential that the focus of the sanctions in the Bill is on changing the behaviour of businesses and not on a tick-box, parking-fine mentality. The Bill must be about protecting consumers, the public and the reputation of business at large, not about meeting targets.

Some other recommendations of the Macrory review that might be worth considering are not mentioned in the Bill—for example, recommendations about the use of restorative justice. Macrory believes that restorative justice models have the potential for good long-term outcomes, both for victims and offenders, have the benefit of being flexible and are focused on reducing the harm caused. That principle is very much in keeping with the Hampton review and the claimed focus of the Bill. Will the Government introduce pilots in this area, as Macrory recommended? Will they commit to doing so? If not, why not?

Other innovative recommendations in Macrory's review include criminal sanctions such as the use of publicity orders. Macrory cites the case of the Federal Supreme Court, which sentenced the American Caster Corporation for dumping deteriorating drums of solvents by way of a publicity order. The corporation

[Sarah Teather]

was required to take out an advert in the *Los Angeles Times*, at a cost to itself, publicising its breach, and the action that it intended to take to remedy the problem. Has the Minister considered using such measures? Does the Bill provide the flexibility to do that? What assessment has he made of that recommendation?

Finally, I come to two further issues that we will want to explore in Committee. We will want to seek reassurances from the Government that the Bill will not be unworkable for local authorities, which are chiefly responsible for implementing it. It is essential that those giving guidance to local authorities understand the practice of such bodies and their limitations. That was very much the focus of a number of Labour Back Benchers' interventions on the Minister. It is also important that the need to co-ordinate the activities of companies operating in more than one area does not prevent local authorities from setting their own priorities in respect of democratic choice. I share the concerns of the hon. Member for Huntingdon about the power to turn guidance into direction and about how the primary authority system will work in practice. Such matters need clarifying in Committee.

We are also concerned that the detail of stop notices in the Bill will give undue flexibility to regulators to decide whether to pursue action at the expense of business, which, if not guilty, could lose two weeks of business while the regulator decides what action to take. We need to explore further in Committee whether there are more flexible ways of implementing this provision. We recognise that good work has been done on this Bill in the other place to improve it, and we will support the Bill today, but we feel that more can be done to make it a clearer and more effective tool to improve regulatory practice in this country.

2.3 pm

Mark Pritchard (The Wrekin) (Con): I am grateful to be called in this debate, Mr. Deputy Speaker. First, may I apologise to the House for the fact that, unfortunately, because of a prior commitment, I will not be present for the winding-up speeches?

The Government are very much a Johnny-come-lately to deregulation. I have touched on the irony that the Bill creates more regulation and legislation in order supposedly to reduce regulation. By that very fact, and by their previous form in this area, the Government are very much the worst offender and they set the worst possible example to the nation at large and to large, small and medium-sized businesses.

Given that other hon. Members wish to speak, I shall limit my remarks mainly to small businesses and the Bill's potential impact on them. Small businesses are the lifeblood of the British economy; more than 95 per cent. of businesses in this country are small businesses of 25 or fewer employees. Without such businesses and hard-working small business men and women, the British economy, and the economy in both my constituency and the fine county of Shropshire, would grind to a halt.

Yet, small businesses are increasingly feeling the tightening of the regulatory noose and the big foot of Government trampling over entrepreneurship and innovation. What business men and women tell me—they mostly do so privately—both in my constituency and as I travel in different parts of the country is that they want Bolshoi light touch regulation, rather than the trampling big foot of Government. Regulation is not a bad thing in itself per se; it is not intrinsically wrong and it has an important role to play both in the private and public sectors—for example, in food safety, consumer protection and environmental health. However, many businesses feel that many regulations are unnecessary and burdensome, and they distract business people from their core raison d'être: creating jobs and investing in communities.

Money and profit have been mentioned in this debate, and there is nothing intrinsically wrong with them. If businesses are not profitable, they cannot grow, expand or employ people. If people are not employed, they do not have the disposable income that they need to go on holiday, to look after their families in the way that they want or, in this day and age of high food prices, to put a loaf of bread on the table. We should not confuse the important issues of profit and business, and the other social factors to which hon. Members referred.

It is not just Members of Parliament, either Conservatives or those in other parts of the House, who are aware of the burdens; the Federation of Small Businesses, the CBI, the Institute of Directors, the British Chambers of Commerce all testify to the fact that burdens on, and costs to, businesses are increasing, rather than decreasing. The CBI has said that since 1997, when this Government came to power, £55 billion-worth of new burden on business has been added. That is a huge sum, and clearly many casualties have resulted. Perhaps the Minister might tell us what research has been done with Companies House on the number of businesses—not only those that have gone into receivership, but those that have voluntarily wound up and have closed their companies—that have closed as a result of regulation and red tape.

Although I agree with many of the Bill's sentiments, I am concerned that, once again, we are having more law, rather than better law. The Minister must answer another question: given that local authorities enforce about 80 per cent. of regulations and licensing procedures, and given that the need for enforcement continues to grow across the spectrum of various regulations, does he feel that those authorities are adequately and appropriately resourced to be given a greater role?

I am a member of the Select Committee on Work and Pensions, which recently reported on benefit simplification and found that there is still too much complexity in the benefits system. That is relevant, because Government need to set the right example—if Departments cannot do so, how can they expect small businesses to do so? The Government need to apply not only a light touch, but a lot more common sense.

I welcome many of the parts of this Bill, and many of the concessions and amendments made in another place. However, as it stands, the Government are not going to note the flaws that my hon. Friend the Member for Huntingdon (Mr. Djanogly) has rightly pointed out, and the Bill will remain a mess. I do not think that we will be able to support it in the way that the Government would want.

The suggestion that this Government will cut red tape and deregulate is as likely as the Prime Minister performing at a comedy club. If the Government are serious about this issue, they will listen to the concerns of my hon. Friend and of small businesses. It would be helpful if we had more Labour Members from a business background, but unfortunately very few are. I declare an interest as a former businessman, and my hon. Friend for a Northamptonshire seat—

Mr. Bone: Wellingborough.

Mark Pritchard: There are so many good MPs from Northamptonshire that I was confused. As my hon. Friend for Wellingborough (Mr. Bone) rightly said, every burden placed on small businesses carries a cost. That cost is not always necessarily financial—although often it is—because it can be in time, with staff distracted from the key issues of running their business, employing people and investing in communities. I hope that the Government will rethink their position on many aspects of the Bill.

2.11 pm

Mr. Peter Bone (Wellingborough) (Con): It is a pleasure to follow my hon. Friend the Member for The Wrekin (Mark Pritchard), who made a powerful speech today, as he did yesterday. I need to declare an interest—I refer Members to the register—as I am a director of a small company. I am also a member of the Institute of Chartered Accountants in England and Wales.

I am delighted to speak in this debate because of my personal background. I came to the House of Commons late in my career, mainly because the public kept rejecting me—*[Interruption.]* That is another issue. However, that allowed me to extend my business career. I started a company and went through all the traumas of growing it. Eventually it became a plc, and we sold it on and I started a new company. So I have some personal knowledge of the problems of regulation in business.

I have one story, about VAT inspection, that will illustrate some of the problems. At the time, my company was only small, with five employees including me. We were told that we were to be inspected by the VAT man. We were told the date, and we did an enormous amount of work laying out the books. Unfortunately, on the day there was heavy rain. The inspector was due at 9 am, but still had not turned up by 10, so we rang up, to be told, "Oh, he's not coming, Mr. Bone, because it's raining so hard." That is the sort of thing that drives owners of small companies mad, but they have to put up with it. We were not even inspected afterwards: the inspection was abandoned. It felt like inspection for the sake of inspection.

Much of the merit of the Bill is that it would target rogue traders, or possible rogue traders. The Hampton review stated:

> "During 2003…the local authority trading standards officers only inspected 60 per cent. of high risk premises in Great Britain, in 35,000 inspections, yet still inspected 10 per cent. of businesses classified as low-risk, in over 72,000 inspections."

I understand that the Government now intend that high-risk businesses should be inspected more frequently, but they have not said that they will not inspect low-risk businesses. If high-risk businesses are to be inspected at the rate that the Government suggest, we should be able to reduce the number of inspectors. Do the Government have a target for the reduction of inspectors every year, so that we can see that the decrease in regulatory inspections is actually occurring?

When I worked in business, I was also driven mad by conflicting advice from regulators. An inspector told us how to operate a VAT system for our travel business, but then three or four years later, another inspector came along and said that we had been doing it wrong and that we would be fined. We argued that we were doing what we had been told to do, but no, we had to pay the fine and change how we did things. As it turned out, we did not mind paying the fine, because the new way of doing things saved us an enormous amount of VAT. However, that should never have happened, because the procedure should be made clear to businesses. If the Bill helps to improve that, it should be welcomed.

The real problem is not the implementation of regulation but the fact that the Government create regulation at an enormous rate of knots. I have three ideas for cutting back on regulation. First, we should get rid of the regional assemblies. According to a left-wing think-tank, they cost taxpayers £360 million a year. They do not do anything, so we should get rid of them. Secondly, we should abolish planning appeals. Local elected councillors should be able to decide the merits of a planning application, and that would save millions of pounds. Thirdly, I cannot find anyone who thinks that the Standards Board for England is a good idea, so we should get rid of that. If the Government were proposing such measures, we might believe that they wanted to cut regulation.

The proposed LBRO—it does not have a very good title—should be extended. Why not have it cover the whole of government, not just local government? Why not call it the department for administrative affairs, and build up a big empire? Why not employ lots more civil servants to cut regulation? We could find a Minister to do that—perhaps a chap called Jim Hacker. This is straight out of "Yes Minister". The Bill will create a body that will cost £73 million a year and employ huge numbers of bureaucrats, with the idea of saving money.

Another thing that used to drive me mad when I was in business was getting a letter from a Government organisation with no date or address, or with an illegible signature. I have a copy of the impact assessment by the Department for Business, Enterprise and Regulatory Reform—the second version, although I do not know why there were two—and the Minister's signature of approval is a squiggle, so I have no idea who it was. The name of the Minister who signed off this document should at least be printed on it. Of course, the Minister may not want to be identified, because of the problems with the impact assessment.

We are told that the Bill will save businesses a lot of money, and the impact assessment contains some very good figures. The LBRO will cost £73 million a year, although that is a Government estimate, so we can at least double it. Let us call it £146 million for a start. The annual benefit to business, according to the impact assessment, will be £200 million, so we can halve that

[Mr. Peter Bone]

to get the right figure, so it will be only £100 million. The result is a net loss of more than £40 million a year.

The impact assessment goes into detail about the different costs between local authorities and businesses. One very telling argument is the fact that the impact assessment says that the cost of the new department to local authorities is £13.6 million a year, which will provide a saving of between £14.2 million and £17.9 million a year. That is hardly any saving at all.

Everyone knows that local authorities are the most inefficient part of the whole system. They are far more inefficient than private businesses, but the Government are going to make a change that will cost the local authorities £13.6 million in order to save between £14.2 million and £17.9 million. We are told that it will cost businesses only £7.5 million, and that there will be a saving of between £59 million and £86 million a year.

I do not believe any of it. If we review the situation after three years—I am grateful for the remarks made by the hon. Member for Brent, East (Sarah Teather) on that subject—I do not believe that we will find anything other than a glorious empire with a Jim Hacker-type figure at the top and lots of people sending out lots of bits of paper, which will cost a huge amount of money and not save a single penny.

Mr. Gareth Thomas: For the sake of accuracy, perhaps I should inform the hon. Gentleman that the budget for the LBRO will be some £4.5 million and that it will employ some 25 staff; it will hardly be the Jim Hacker-style empire that he is describing.

Mr. Bone: I am not a betting man, but if I were I would certainly bet £5 that that figure would double, at least, by the end of the first year.

I shall conclude, because I know that other hon. Members want to speak. I have two points. On the EU aspect—this is a serious point—although the Government are right to try to have better regulation, that cannot be done without addressing the point that EU directives cannot be challenged or changed. I am talking about not their principles but their drafting. Sometimes, the EU directives that we see in the Joint Committee on Statutory Instruments are complete nonsense; they are gobbledegook. The Germans tried to change one so that it made some sense, and they were fined by the EU.

The directives are so confusing because they are designed to be confusing. When they were agreed to, the various different countries had different interpretations of them and came up with something that makes no sense and has no clarity. That is the problem for industry. For instance, it was impossible to understand what the European directive on package travel, package holidays and package tours meant. If we could address what European directives are doing and the way in which they are interpreted, that would help the industry's problems enormously. On the continent, our European colleagues take the directive, put it on the statute book and then ignore it. Such a light approach to EU directives would be most helpful for many of our British businesses.

Lorely Burt (Solihull) (LD): I have followed the hon. Gentleman's most interesting speech with great care. Does he not agree that it is the job of our civil servants to decipher what he describes as gobbledegook and put it into plain simple language so that British companies can understand what is required of them with the minimum difficulty?

Mr. Bone: Of course, that is entirely correct. Unfortunately, they are not allowed to. That is the point. One cannot change an EU directive. It might say that there needs to be a penalty for this or that, but that one could not do something else, either. The three provisions might not tie up, but we could do nothing to change that. My hon. Friend the Member for Stone (Mr. Cash) made this point earlier. We are not just banging on about Europe. British businesses have genuine concerns. Although Government regulations tend to be very clear, as they have gone through the process of scrutiny in the House and the Joint Committee on Statutory Instruments, the numerous European regulations cause the greatest concerns.

The impact assessment said that the change would in no way help competition. I do not understand why, if we are trying to improve regulation, competition will not be improved for businesses. The Minister for Employment Relations and Postal Affairs said earlier that he could not say how many fewer prosecutions there would be, yet the impact assessment states that there will be 22,500 fewer. When he sums up, will the Under-Secretary address that clear confusion? Such a reduction in prosecutions would, of course, be welcome.

My final point, which goes to the heart of the issue, concerns the effect on small businesses. We know that 99 per cent. of enterprises are small, that 47 per cent. of enterprises employ 36 per cent. of the total work force—or rather, they employ a higher percentage of the total work force and account for 36 per cent. of all turnover. It is small businesses that encounter the problems with regulation and its interpretation.

I accept that the Minister comes to this subject with a genuine desire to reduce regulation, but unfortunately the Government are creating something that will make it very easy to impose fines without reducing regulation or the need to interpret it. I see this as an empire-building process, and I am concerned that the office will go down the route of the fictitious department of administrative affairs.

2.26 pm

Mr. Graham Stuart (Beverley and Holderness) (Con): It is a pleasure to follow that experienced business man, my hon. Friend the Member for Wellingborough (Mr. Bone) and my hon. Friend the Member for The Wrekin (Mark Pritchard), as well as my hon. Friend the Member for Huntingdon (Mr. Djanogly), who spoke from the Front Bench. It is noticeable that only Conservative Back Benchers are speaking in today's debate. I hope that the historic commitment of the Conservative party to small business in particular and business in general, as the generators of wealth on which our public services depend, is reflected not only in this debate but in a forthcoming change of Government.

It is good to see the Minister for Employment Relations and Postal Affairs back in his seat. If the Bill succeeds, I hope that he will be as successful in eliminating unnecessary regulation as he has been in eliminating so many post offices. The Bill represents the third time in six years that the Government have attempted to reduce the burden of regulation. I welcome any opportunity to discuss the burden of regulation—a burden that, according to the British Chambers of Commerce, has cost business £66.99 billion since the Labour Government came to power.

The Government have proved unable to put the brakes on the proliferation of unnecessary regulation and the Bill is an admission of that. After two failed attempts to legislate to cut the number of regulations, we now have a Bill aimed only at curbing the activities of over-zealous men with clipboards. Gone is the promise to cut regulations.

If one needed evidence of the fact that if there is a simple way to do something the Government will find an ineffective and needlessly bureaucratic way to do it, one need only look at their ham-fisted attempt to kick their habit of over-regulation. The Government began with a flourish in 1997 by abolishing the Deregulation Task Force and replacing it with the Better Regulation Task Force. That did not mean that the job of deregulation was considered complete.

In its 2001 Manifesto, Labour pledged to "cut red tape". Later that year, the Government introduced the Regulatory Reform Act 2001, which produced just 27 deregulations in four years. Does the Minister accept the British Chambers of Commerce's findings that in the same period 600 new regulations were created?

In April 2007, the right hon. Member for North-West Durham (Hilary Armstrong) said that it was not possible to calculate how many regulations had been repealed in each year since 1997. The effect, it appears, was too small for Ministers to measure. Whatever the exact number of new regulations heaped on business, it is clear that the Government did not regard the 2001 Act as a complete success. It was intended to provide

> "a major tool for this and future governments to reform entire regulatory regimes and to tackle unnecessary, overlapping, over-complex and over-burdensome regulation".

Regulatory reform orders were introduced as the legislative vehicle for amending primary legislation without the need for a Bill. By the end of 2006, 34 RROs had been introduced. In 2001, 63 deregulatory opportunities had been identified, and the Cabinet Office said that the overall outcome was disappointing—a great bureaucratic word.

The 2001 initiative was reviewed by the Cabinet Office in 2005, and it concluded that the Act had simply not been implemented. When businesses listen to Ministers' fine words today, they will be forgiven for wondering whether they will be translated into effective action to reduce unnecessary burdens.

The Government decided to try again, and hailed 2006 as the "year of delivery". We were presented with the Legislative and Regulatory Reform Bill—another Government attempt to regulate their way out of regulation. The Minister who opened the debate today said at the time that the Bill would

> "reduce the administrative burdens of regulation, consolidating and simplifying the legislation to make it easier to understand and work with, and deregulation".—[*Official Report*, 15 May 2006; Vol. 446, c. 719.]

However, the reality turned out somewhat different from the grand ambitions expressed by the Minister that day. By the end of 2007, with the Legislative and Regulatory Reform Act 2006 having been in force for a full year, the *Financial Times* reported that it had still to cut or even amend a single regulation. According to the Better Regulation Task Force, the Government's own quango on regulations, the annual burden of regulation on UK business is £100 billion, or 8 per cent. of our gross domestic product. It should be noted that a British Chambers of Commerce study found that that figure was "suspiciously rounded", and probably too low. I hope that the Minister responding to the debate will answer those charges.

No one can say definitively what benefits the UK taxpayer gets from restricting business in this heavy-handed way. The Competition Commission does not know the impact of regulation on innovation, competition, competitiveness or productivity. We do know that at least 14 new regulations are introduced every day under this Government. Businesses tell us that, if there is one thing that annoys them as much as regulation, it is chopping and changing. When he sums up, will the Minister offer some assurances that this Bill will get things right this time? Could it be third time lucky for us, or does he intend to continue to attempt to regulate his way out of trouble? Can we expect to see the same Ministers who are presenting this Bill today suffering the humiliation of returning with yet more legislation before the Government come to their sad end in a couple of years?

Mr. Bone: Or sooner.

Mr. Stuart: Or sooner, as my hon. Friend says.

I am supportive of the stated aims of this Bill. Proportionate regulation is to be welcomed. I remain to be convinced that the Bill, as drafted, will meet its own aims.

The Bill's aims have their genesis in the Hampton and Macrory reviews. Hampton, for example, found that the diffuse structure of local authority regulatory enforcement increases uncertainty and administrative burdens for business. Few could argue with that.

I should like to take a few minutes to look in detail at the Bill and its flaws. The Hampton review found that unco-ordinated action means that businesses receive unnecessary inspections and conflicting advice, while a lack of communication between local authorities results in a duplication of effort. Part 1 intends to address those problems by establishing a local better regulation office with the objective, to paraphrase the explanatory notes, of ensuring that local authorities exercise their relevant functions in a manner that is effective and efficient and complies with the Better Regulation Commission's principles of good regulation. Those principles are that regulatory activities should be exercised in a way that is transparent, accountable, proportionate and consistent, and that they should be targeted only at cases in which action is needed. In short, the LBRO is to be a "regulator's regulator".

[Mr. Graham Stuart]

All too often regulations are enforced in a way that shows no regard for the risk. Not unfairly, trading standards, environmental health and licensing inspectors are regarded as inconsistent and over-zealous. Anything that we can do to change that should be welcomed.

I shall not bore hon. Members with the tedium of the fine detail of the workings of the LBRO. My colleagues in the Lords have done sterling work in securing amendments that will help its operation, but neither they nor I—nor indeed the Minister—can ignore the fact that the establishment and operation of the LBRO seems a hideously complex way of improving the way local authorities regulate. If local inspectors are the problem, is not the answer to reform the rules that they are enforcing and then retrain and manage them to achieve improved outcomes?

As the Minister said, the LBRO will be a small organisation taking on the clout of over 500 big regulators spread across the country. However laudable its aims, we must question its ability to take on the might of those who like to overuse the few powers in life that they enjoy.

Part 2 attempts to introduce a degree of competition between local authorities in the enforcement of regulations. Any regulated person who carries out an activity in the area of two or more local authorities will be able to nominate which body regulates him, and that body will then be that person's primary authority. That will mean, for example, that such a person need not be subject to enforcement from more than one trading standards authority. One might think that that is fair enough. I recognise that differing interpretations of the same regulations create a major additional burden for businesses. Indeed, I should like to know whether the Minister's Department has measured the cost of that burden.

If this Bill is passed, Labour-controlled councils might find themselves doing a lot less regulatory work. Just as voters did at the start of the month, the chief executives of big firms will vote with their feet and opt to be governed by Conservative councils that have an understanding of business. That is all very well for big businesses that will be in a position to do that. Indeed, it is to be welcomed. Consistently enforced regulations mean less uncertainty and a reduced regulatory burden, but what about the small shops—"Hutton's Haberdashery" or "John's Jewellers"? They will be stuck with the same old regulators and, in Labour areas, all too often the same old over-regulation.

Equally, there is considerable potential for consumer confusion. As my hon. Friend the Member for Huntingdon noted, if a complaint is made against a store in, say, Barrow and Furness that has chosen to be regulated by a different local authority, to whom do consumers complain, and how can they be sure their complaint will be pursued? I shall be interested to hear about that from the Minister who sums up the debate.

My fear is that part 2 will help bigger businesses while making no difference to small shops and punishing consumers, but I also have another concern about it. The decision to allow primary authorities to charge for their services will not play well with businesses that already pay for enforcement services through their local rates. Businesses using the primary authority system will be subjected to what is essentially a regime of double taxation.

The Macrory review made recommendations aimed at ensuring that regulators have access to a flexible set of sanctioning tools that are consistent with the risk-based approach to enforcement outlined in the Hampton review. Many regulators are heavily reliant on criminal prosecution as the main sanction, but the Bill provides for civil monetary penalties. Let us be clear: we are talking about a system of fines that can be imposed without recourse to the courts.

I do not oppose civil penalties, but I feel that we need to review the extent to which they should be restricted. As drafted, this Bill contains no such restriction, and a total of 27 designated regulators will have the relevant powers. The Minister who opened the debate unfairly compared the subjective assessments made by Companies House of how a business is run with the instant fines introduced by the previous Conservative Government for people who do not achieve the clearly objective and easily measurable task of submitting their accounts on time. I hope that the Minister who winds up the debate will say how much leeway the Public Bill Committee will have to restrict those powers and give businesses, especially small ones, some reassurance.

As Lord Lyell of Markyate stated on Third Reading in the other place, the provision in effect gives the regulators the power to be

"investigator, prosecutor, judge, jury and sentencer"—[*Official Report, House of Lords,* 28 April 2008; Vol. 700, c. 26.]

He has much more legal standing and experience than either I or the Minister, and we should take his words seriously. Earlier, we considered the fact that the right of appeal does not negate the basic accusation made against the new system. The British Retail Consortium says:

> "We opposed the introduction of administrative penalties for the very reason that we believe these...could result in a parking fine style system of enforcement."

That point was made earlier. Wide powers relating to a long list of offences are being granted to a large number of unaccountable regulators; that combination could be disproportionate and unnecessary.

I support the stated aims of the Bill, but it does not come close to meeting those aims. The LBRO—the regulator's regulator—is small and weak. All the signs are that it will be ineffectual. The provision for primary authorities may help bigger businesses that trade across the country, but it will not help small shops or, crucially, the consumer. Instead, it will lead to consumer confusion.

The Bill attempts to force regulators to enforce regulations in a more measured way, but the civil sanctions section of the Bill will help to foster a traffic warden culture across 27 regulators. Inspectors are elevated to the status of judge and jury. The Government continue to heap regulatory burdens on business. The regulatory impact assessment for the Pensions Bill estimates that the cost of regulation stemming from that Bill alone will exceed £230 million. What estimate has the Minister made of the total cost of regulations associated with the Bills set out by the Prime Minister in the draft Queen's Speech?

Just six months before he became a GOAT, or member of the Government of all the talents, the Minister for Trade Promotion and Investment, Digby Jones, told *The Daily Telegraph*:

> "Red tape is what governments do…I am on businesses' side: I'm trying to pull it off without regulation…Otherwise they WILL get the clunking fist."

The Bill does nothing to change the proliferation of regulations that stifle business. How many more botched regulation-related Bills can we expect from the Government before we get real change?

2.41 pm

Charles Hendry (Wealden) (Con): This has been a significant but relatively brief debate on an important piece of the Government's legislative agenda. Indeed, the legislation is perhaps the most important Bill for business this Session. However, I think that business representatives watching the debate will be disappointed when they see how few Members of Parliament have turned out to participate in it. They recognise that regulation is one of the most important issues affecting the success of their companies and of UK plc, and they will simply not understand why hon. Members have chosen not to be here to speak up in the interests of businesses in their constituencies. It is important to send the message that the debate deserved better attention.

As many hon. Members have said, it sounds as though the Bill is a step in the right direction, but as we have heard, the Government's track record on regulation is so bad that we have to be sceptical about their intentions. The fundamental issue when it comes to regulation is that the Government simply cannot stop meddling. They believe that they know how to run every business better than the business man, every school better than the head teacher, every doctor's practice better than the doctor, and every voluntary organisation better than the people who have run it for years. They simply cannot keep their hands off. They feel that they need to get involved because they alone have the unique skills necessary to make things run efficiently.

The Government always talk about better regulation when they should be talking about less regulation or deregulation. The belief that regulation and interfering are important runs right the way through the Government, but that is not the right way to go. It was notable that when the Department for Education and Skills, as it then was, issued guidance to schools on how to tackle bureaucracy, the document ran to two volumes, because the Department could not make it clear in one volume. As we have heard from the British Chambers of Commerce, we get 14 new regulations a day from the Government—that is £66 billion in extra costs to business. We heard that HSBC, one of the biggest banks in the world, has to face 370 regulatory bodies around the world. We live in an incredibly regulatory environment.

It is right to ask:

> "How can an enterprise economy break through when the government presides over systematic, stifling red tape, a discredited planning regime and a society that becomes more politically correct and risk averse by the day?"

Those are not my words, but those of Sir Digby Jones, spoken when he was director general of the CBI. He is now better known to us as Digby the Baron Jones of Birmingham. We always thought that that was the correct form of address for a dowager duchess, but that is how he wishes to be known. He highlighted the issue of regulation before he came to Parliament to sit in the other place. It is of little surprise, therefore, that he is not the Minister taking the Bill through its stages in the other place. I think that he would have found it hard to resist saying that we are over-regulated and need to do more about it.

The Minister talked in enthusiastic terms about the work that the Government have been doing on deregulation, but why are all the representations that we receive from business and other organisations about the pressures that they face as a result of regulation, and the fact that they are regulated too much? Why are we told that the average cost to UK business of implementing new legislation is £133,340 a year? Why does the Federation of Small Businesses tell us that the average small business spends seven hours a week complying with red tape and on paperwork? Why does British Chambers of Commerce estimate that by the time Ministers have taken directives through the system to make them apply to UK law, the cost is increased threefold?

There is too much regulation. The approach identified in the Bill begins to scratch the surface, but it does not address the underlying problem. As we heard from my hon. Friend the Member for Huntingdon (Mr. Djanogly), in four years, only 63 measures were identified under the regulatory reform orders, although the orders were to be the Government's vehicle for addressing the problem. Only 27 of those 63 have actually been dealt with.

Business in this country faces competition as never before. There was a nice, convenient thought that China would pose a threat to us only on the cheap, dirty side of manufacturing—that was never the way in which we saw manufacturing, but that was the perception. Nobody truly realised China's ambition to do high-value, high-end work, too. Business was initially attracted overseas by low labour costs. Now, it will go overseas to pursue cheap energy. A key factor in determining whether businesses decide to stay in this country or move overseas is the regulatory environment.

It is a matter of profound concern that companies such as Shire—one of the biggest pharmaceutical companies—are looking to move offshore. WWP is, I think, the biggest advertising and marketing agency in the world; it, too, is moving offshore, and others are talking about doing so. They think that what was special about Britain is being lost, and that other countries offer a more attractive environment in which to do business. What they need from the Government is work done to tackle skills issues, so that the graduates and school leavers who come through the system have the skills that the companies need.

Businesses need tax rates to be addressed, too. In Prime Minister's Question Time, it was disturbing to hear the Prime Minister criticise us for saying that corporation tax needs to be dealt with. He said that that was the wrong sort of problem to raise. Above all, there is the issue of regulation to be addressed. Every

[Charles Hendry]

single business that we visit in our constituencies tells us that it is over-regulated, and that it is wrong.

We have heard some expert and well-qualified speeches. It is notable that we five Conservative Members who have spoken have all run our own businesses. We have gone through the pain; we know what it is like when a person sets up a business and feels that the world is against them, even though their motivation for going into business was that they had an idea and wanted to provide a service to the community or a business audience. They end up feeling like some sort of criminal if they do not get their VAT form in bang on time. The approach towards business does so much to stifle it. Many people would never have started their own business if they had known how difficult it would be.

My hon. Friend the Member for The Wrekin (Mark Pritchard) is right to tell us that regulation is not bad per se. Many regulations are good for business and for Britain. The problem is identifying and removing the ones that are not good and are counter-productive. He was right to say that we need to know the answer to the question of how many businesses have closed as a result of bad regulation.

My hon. Friend the Member for Wellingborough (Mr. Bone) said that he was rejected by the electorate on a number of occasions. That rejection meant that by the time he entered the House, he was a more expert, well-qualified MP than he would otherwise have been. We are lucky that he is here to bring that expertise to the House and to our considerations today. He talked about the sense of frustration that business has about bad regulation, and he did so with immense feeling and understanding, because he has been there himself, and has run businesses for 20 years.

My hon. Friend the Member for Beverley and Holderness (Mr. Stuart) rightly sounded sceptical about parts of the Bill; again, he has experienced the consequences of over-regulation first hand. He asked a whole range of sensible, practical questions—so much so that they almost amounted to a request to go on the Committee for the Bill. We will need such detailed analysis as the Bill goes through its stages.

My hon. Friend the Member for Stone (Mr. Cash), whom I am glad to see in his place, talked about the relationship with the European Communities Act 1972. Ministers talk about leading the way in cutting down administrative burdens, but one of the greatest frustrations for business is that a small directive from Brussels ends up as a long regulation that comes out of a Department.

If we want to tackle the culture of over-regulation, we need to start with Ministers. They need to say what European regulations and directives say and that they will not add anything to them. If that does not stand up, it will be the failing of the directive. We should not use directives as an opportunity to gold-plate and add on bits and pieces to allow officials, whom I know are well meaning, to tag on a little bit that they have been tucking away in a drawer, hoping for a suitable directive that they can latch it on to. Ministers have to be robust in rejecting that approach and saying that the directives that come from Brussels should be exactly that, and not become a vehicle into which more bits are added.

On the elements of the Bill itself, we owe a great debt of gratitude to Philip Hampton and Richard Macrory for their work, which has identified practical and important considerations. However, as we have heard, questions need to be answered today, or certainly in Committee. The talk about the local better regulation office sounds alarm bells. It may be well intentioned, but we have seen too often that what starts as a well-intentioned initiative grows out of control. We can imagine that in a little while the Minister will say, "Well, the local better regulation office is working so well that we will have regional better regulation offices as well. Then, to make sure that it all comes together, we will have a national better regulation office." An entire new arm of bureaucracy and administration would be set up. That is not the way in which we should be going.

We also want to know how the new body will prevent over-zealous implementation. The businesses in our constituencies often tell us that the problem is not regulation, but how it is interpreted by people from health and safety and Government Departments. A company in my constituency told me of its experience. Every year, it took on people from the local community college for work experience. A couple of years ago, health and safety representatives told it that it could not do that any more because it was a dangerous environment in which to work.

I am talking about a retail establishment. First, its management were told that the young people could trip up and down the step in the shop as they were carrying things around. Secondly, there was—even more dangerously—a till in the establishment. I did not think that unusual in a shop. However, if a young person was bending over when the till opened, he could be hit on the head. The health and safety representatives refused to allow the shop to offer work placements to people at school. That was not down to regulation; no regulation anywhere in this country says that children should not work near tills. It was a case of an over-zealous inspector, who damaged both that business and the aspirations of young people.

My hon. Friend the Member for Wellingborough talked about inspection for the sake of inspection. The underlying problem is that as a society we are becoming too risk-averse—we are trying to eliminate the downside and risk. Risk, however, is part of an entrepreneurial, successful society, and if we do not encourage people to take sensible, calculated risks, we will damage our opportunities to deliver the growth and economic success that we want.

Part 2 of the Bill relates to the primary authority. We need to know from the Minister how it will ensure fairness for small businesses and a level playing field with big businesses, which can choose where they are regulated. Take the example of two neighbouring shops—one is large and regulated remotely, perhaps hundreds of miles away, and the other is regulated locally. How can they both be on a level playing field, given that they are accountable to different primary authorities? We need greater clarity on that.

We also want clarity on part 3, which is about civil sanctions. We welcome measures that track all rogue traders. We know the problems, headaches and pain that such traders cause our constituents and we want tougher action against them. However, as a result of the Bill, 27 different regulators—an awful lot—will be given the powers to impose civil sanctions. How will we stop the tendency for them to go for easy pickings and focus on smaller businesses that will not appeal? The regulators may use the full force of their powers against such smaller businesses, but not against the more serious offenders.

The comments of the noble Lord Lyell of Markyate have been cited. He said that the regulators would be the investigator, prosecutor, judge, jury and sentencer. In British law, we are not familiar with that concept, which represents a completely different approach from that of the legal system that we have had in the past. Perhaps the Minister can tell us whether there has been a precedent. The issue causes understandable concern.

Lorely Burt: In other areas, are we not used to regulators having those various powers, which are not necessarily always used inappropriately? I am thinking about the Financial Services Authority, which has the power to do all the things that the hon. Gentleman has mentioned. Is he saying that he does not think that such powers are appropriate in any circumstances?

Charles Hendry: They certainly can be appropriate, but we need clarity about how the system will work. At the moment, that area of the Bill is opaque; it is establishing a principle, and the devil will be in the detail. We can have effective regulators, which have a light touch and achieve what they seek to do; alternatively, we can have those that go for the easy pickings, are intrusive and do not get it right. One of the things that we have to explore in Committee is how to get things right. If we do not, the credibility of the Bill may be undermined.

Mr. Cash: In the discussions on the Lisbon treaty and the Legislative and Regulatory Reform Bill, which became a 2006 Act, proposals in my name were put forward that asserted the supremacy of Parliament so that, beyond gold-plating, we could ensure that the legislation was consistent with the will of Parliament and the people of this country. Conservative Front Benchers have said that we need constitutional safeguards. I do not want to take my hon. Friend too far down that route, but does he accept that we need to insist on that?

Charles Hendry: I was both listening carefully to my hon. Friend and watching Mr. Deputy Speaker during his intervention. My hon. Friend is absolutely right that we have to listen carefully and take note. He is a doughty campaigner on such matters, and we should jealously protect and guard the primacy of this Parliament.

On civil sanctions, the Minister needs to tell us how he would answer the CBI's request for there to be an independent review before a penalty is issued. Business needs to know that the process will be fair, and that if it feels that it is being treated unfairly, it will have a chance to have its side heard—and not by the person who assessed it in the first place, or who would judge or pass sentence on it.

There is a range of such issues, and there are more detailed questions as well. For example, how will the process work? Will there be cautions before fines are imposed? How many cautions will there be? What sort of offences will be covered—minor or more serious infringements? When our constituents get a penalty notice because they stayed a couple of minutes too long at a parking meter, that causes profound aggravation—they see it as an enormous extension of the state and an intrusion into their lives. Although sanctions can play an important part in regulation, we need to know that they are being used properly.

There is a range of questions about the Bill. It is not a bad Bill; it has a lot of good elements and is moving in the right direction. However, the devil will be in the detail. We are not opposing it on Second Reading, but we will be studying it extremely carefully in Committee, because significant changes need to be made. We will be addressing those issues in Committee to decide whether we can support it further.

2.58 pm

The Parliamentary Under-Secretary of State for Business, Enterprise and Regulatory Reform (Mr. Gareth Thomas): As my hon. Friend the Minister made clear in his opening remarks, the Bill is motivated by the work of Philip Hampton, who, in his 2005 report, "Reducing Administrative Burdens", identified two major and costly problems with the enforcement of regulation. He found, first, inconsistencies in the way in which businesses were treated by local authority regulatory services and, secondly, inflexibility in an enforcement regime that gives regulators the choice of pursuing offenders only through costly criminal prosecution or informal advice regardless of the scale of the offence, preventing a proportionate response. The Bill will deal with both those issues and fundamentally improve the way in which regulation is enforced.

As my hon. Friend also made clear, we have listened to concerns raised in the consultation process that we have undertaken and in the other House, and we have amended the Bill.

Lorely Burt: The Minister talks about consultation. The Bill has been through the House of Lords and has been considerably improved, but why was part 4, on regulatory burdens, never subject to consultation and tagged on at the end?

Mr. Thomas: If the hon. Lady will forgive me, I will come to her point as I make my way through my remarks.

I agree with the hon. Member for Wealden (Charles Hendry) that this has been a particularly interesting debate. We heard a series of important contributions, not least from the hon. Member for Stone (Mr. Cash), from my hon. Friends the Members for Ellesmere Port and Neston (Andrew Miller), for Stafford (Mr. Kidney), for Amber Valley (Judy Mallaber), and for East Lothian (Anne Moffat), and from the hon. Members for The Wrekin (Mark Pritchard), for Beverley and Holderness (Mr. Stuart) and for Wellingborough (Mr. Bone), as well as from the hon. Members for Brent, East (Sarah Teather) and for Huntingdon (Mr. Djanogly).

The hon. Member for Stone was, characteristically, first to intervene from the Back Benches. As I have said on other occasions, I have long thought that he

[Mr. Thomas]

deserved greater recognition from within his own party, and perhaps a spell on the Front Bench would suit him well.

Mr. Cash: I am sure that it is only an oversight by the Minister, but I was in the shadow Cabinet for three years as shadow Attorney-General and shadow Secretary of State for Constitutional Affairs.

Mr. Thomas: All I would say to the hon. Gentleman's Front-Bench colleagues is that it is perhaps time for him to come back to their Front Bench. I have seen reference to other more mature Conservative Members returning, so perhaps it is time for him to do so.

I do not say that because I agree with the hon. Gentleman's points about Europe. I would continue to encourage him to reflect on and change his position on Europe. Perhaps in so doing, he might like to talk to the hon. Member for Wellingborough about his experience in the travel industry, where the timeshare directive has helped to make a real difference for British and for other consumers. I realise that I made a small error by not inviting the hon. Member for Wellingborough to the EU consumers conference that my Department recently held, at which we considered how we can further improve the regulation that comes from Europe to help British and other European consumers to benefit from better consumer law, and, crucially, to assist the operation of British businesses' services to their consumers.

Mr. Bone: I am sure that the Minister would not want to give the impression that I thought that anything good was coming out of the European Union. The European regulations that affect the travel industry are so confusing that it has no idea how to interpret them. As a small travel agent, I had no idea, and most travel agents just ignored them. The Minister should not give the impression that these regulations from Europe are clear and helpful.

Mr. Thomas: I am sorry to hear the hon. Gentleman's intervention, because business has largely welcomed, for example, the unfair commercial practices directive. We have just put that into legislation in the form of the Consumer Protection from Unfair Trading Regulations 2007, which come into force on Monday, which his own colleagues endorsed and supported, and which will allow British consumers to see trading standards authorities taking tougher action against those who perpetrate scams and all sorts of other activities by rogue traders. I recognise and accept that we need to continue to engage with the European Commission and other member states to continue to see improvements in the quality of EU regulation. Equally, however, let me challenge the hon. Gentleman by saying that he, too, should recognise that many of the directives that come from Brussels are supported by British business, are welcomed by British consumers and make a genuine difference.

Mr. Cash: I am interested in what the Minister is saying. The Timeshare Act 1992 is one of the 200 enactments referred to in schedule 3. Clause 4 refers to enactments under section 2 of the European Communities Act 1972 and to others that overlap with those and come from European directives. It also says that the Secretary of State may by order remove any enactment from that schedule and remove any matter from subsection (3) of the clause. Yes, we want to reduce unnecessary burdens and make things more transparent and accountable, but the Government are woefully at fault, because although they want to achieve certain things they will not bring themselves to the point of doing so. We have to add, "notwithstanding the European Communities Act", and I will table an amendment to that effect.

Mr. Thomas: I am sure that my hon. Friend the Minister will welcome the chance to continue to engage in debate with the hon. Gentleman in that area. I should point out to him that the unfair commercial practices directive and the consumer protection regulations have allowed us to deregulate a whole series of areas of legislation, to simplify the position for British business and to ensure that trading standards and other authorities can take tougher action in support of British consumers.

My hon. Friend the Member for Ellesmere Port and Neston rightly asked whether the Bill will make a significant difference to trading standards and local authorities. It will introduce a series of additional powers to help them to take appropriate action to ensure that consumers in the UK get a good deal, not least because, as my hon. Friend the Member for Stafford said, we face problems with rogue traders operating in our constituencies across the UK. They bring down the reputation of legitimate businesses and unfairly undercut them, and many put at risk British consumers, particularly those who are vulnerable. We need to ensure that trading standards authorities have the appropriate powers, and the Bill will help in that regard. My hon. Friend the Member for East Lothian raised a further series of points that I shall come to later.

I was interested by the observations of the hon. Member for The Wrekin. In previous lives, he and I served on Harrow council together. He mentioned the 80 per cent. of enforcement action that is taken by local authorities. Perhaps when he comes to reflect on this debate he will recognise the sad state into which Harrow council has fallen under Conservative control. According to the Audit Commission recently, it is the worst-run authority; it is run by Conservatives and run into the ground. I suspect that people in my constituency will increasingly see the words "Conservative-run" and "well-run council" as oxymoronic.

Mr. Graham Stuart: For the record, I am sure that the Minister would want to be fair and to acknowledge that of the councils recognised as excellent a majority are Conservative run.

Mr. Thomas: I trust that the hon. Gentleman will travel out to Harrow and hear my constituents' frustration at the way in which Harrow council is being run since the Conservatives took control, and perhaps he will—

Madam Deputy Speaker (Sylvia Heal): Order. I feel that we must now bring the debate back to the Bill under discussion. That applies, of course, to all Members of the House.

Mr. Thomas: I beg your pardon, Madam Deputy Speaker; I was provoked.

The hon. Member for Wellingborough challenged me on the Floor of the House to accept a bet that the LBRO would not double its budget and its staff by the end of its first year in office. I am a Methodist and not usually up for a gamble, but I am willing to accept his bet. Madam Deputy Speaker is here to officiate. The hon. Gentleman suggested £5; I would be willing to raise it to £10 if he is willing to accept the—

Madam Deputy Speaker: Order. I think that we had better get back to the rules of debate. We will leave the betting elsewhere.

Mr. Thomas: The hon. Member for Wellingborough also mentioned the success of the two businesses that he was able to set up and run, and the fact that because of the good sense—if he will forgive my saying so—of the electorate in the constituencies in which he stood, he was able to see those businesses develop under a successful Labour Government. He is no doubt personally better off as a result.

Mr. Jim McGovern (Dundee, West) (Lab): Does my hon. Friend accept the figures that seem to suggest that under the previous Tory Government, 1,000 businesses per week were going bust? Under this Labour Government, 100 new businesses start up every day.

Mr. Thomas: I accept the point that my hon. Friend makes, and no doubt he is seeing the benefit in employment and increased income for his constituents, which I and, I suspect, Opposition Members—if they were willing to be completely transparent in this debate—are also seeing in our constituencies. One pays tribute to the ingenuity and talent of business people throughout the UK who flourish under the economic conditions that my right hon. Friends the Chancellor and the Prime Minister have helped to ensure are in place.

The hon. Member for Wellingborough spoke about local authorities being far less efficient than small businesses. If he was referring to the experience of small businesses in my constituency suffering under the yoke of Conservative-run Harrow council, I would have sympathy for his comments.

Mr. Bone: I was trying to make a serious point about the impact assessment. I could not see why the local authority costs were an estimated £13.6 million for the year while the saving was only £14.2 million for local authorities. There seems to be something wrong there, perhaps with the impact assessment. It does not seem to ring true, does it?

Mr. Thomas: I will come to the hon. Gentleman's points about the impact assessment.

The hon. Member for Brent, East made a series of points, some of which I am sure she will want to raise in Committee, but one or two of which I will refer to in this debate. The hon. Members for Huntingdon and for Wealden made a series of important points about the Bill, and I hope that I will be able to address some of their concerns. No doubt its passage through Committee will provide further reassurance to them. I have to say, however, that when they veered away from the specifics of the Bill, they made a series of intemperate and inaccurate comments about the current business climate. The business community will view with considerable scepticism lectures from them and other Conservative Members about the problems that it faces, when their party was responsible for two massive recessions in the 1980s and 1990s, in which business after business went to the wall, job after job was lost and many business men and women lost their homes and considerable amounts of money as a result. They might think that the business community has forgotten what it was like to operate under a Conservative Government—I think that they will be sadly mistaken come the next election.

Mr. McGovern: Will my hon. Friend give way?

Mr. Thomas: Indeed.

Madam Deputy Speaker: Order. I ought to say to the hon. Gentleman that it is not custom and practice for a Parliamentary Private Secretary to intervene on his Minister.

Mr. Thomas: I shall go on to address some of the other issues concerning the amount of deregulation that has occurred under this Government. Perhaps I should just reflect on a series of measures that we have introduced to make it easier for businesses to operate—for example, through the way in which employment law documentation has to be put together. New approaches were introduced that chief executives from the business world welcomed.

The Companies Act 2006 introduced a series of measures to make it easier for businesses to operate. Some 500,000 to 750,000 private companies will no longer need to hold an annual general meeting as part of a wide series of changes to company decision-making processes, and £45 million of annual savings will be delivered as a result. Moreover, 60,000 private companies will no longer need to appoint a company secretary, saving each of them considerable sums. Further examples of the approach that the Government have taken to help businesses include helping them to communicate electronically. Independent estimates show that that change could save larger companies up to £400,000 a year, on a single mail-out. Those are just a few examples of the difference we have made to the regulatory burden.

Mr. Stuart: What impact does the Minister think the removal of the requirement to have a company secretary will have in the real world on small businesses that are currently required to have one?

Mr. Thomas: Perhaps I could encourage the hon. Gentleman to talk to the business community, which welcomed the move. He suggests some scepticism about the benefits of that measure—let him talk to the business community, which actively supports it. While the hon. Gentleman is talking to the business community about that measure, he might like to ask about the revelation from my hon. Friend the Member for Amber Valley that Conservative Members have not been diligent about turning up to discussions in the Regulatory Reform Committee. *[Interruption.]* I welcome the attendance of the hon. Member for Beverley and Holderness in this

[Mr. Thomas]

debate—I hope that he will take up the issue of poor attendance on that Committee with those on his Front Bench.

The business community has made a series of supportive remarks about the Bill. The British Retail Consortium, for example, strongly supported the establishment of the LBRO, saying that it thought it vital that the LBRO should have full and effective powers right from the start. The consortium saw one of the office's key roles as bringing reluctant authorities up to standard. The national policy chairman of the Federation of Small Businesses, Mr. John Walker, made it clear that ensuring a clear and consistently fair system throughout all local authorities is a "must have" for the small business sector. He went on to say that the anticipated reduction in cost to businesses means that this is a positive development and welcomed the creation of this new body. The Institute of Directors, too, welcomed the proposition that a wider range of penalties would mean less use of criminal sanctions, and less time and money being spent on court procedures. The Federation of Small Businesses said that it supported the use of alternative sanctions rather than the use of criminal prosecutions, which it thought—as we do—should be reserved for only the most egregious offenders and offences.

Several hon. Members expressed concern about what the LBRO would do for smaller businesses. Its objective is to promote better regulation for all businesses, regardless of size. We believe that all its functions under part 1 will help to lighten the burden of regulation on small businesses. For example, where small firms operate in more than one local authority area, they will have access to the primary authority scheme that is enshrined in part 2 of the Bill. For instance, a car dealership operating across several councils or small businesses that are based on internet sales could benefit from the scheme. I suspect that is why, during consultation, small businesses were concerned to ensure that the primary authority scheme did not divert resources away from their support towards bigger national firms.

Mr. Brian Binley (Northampton, South) (Con): Will the Minister give way?

Mr. Thomas: I will not give way to the hon. Gentleman; he has not been here since the beginning of the debate.

As the Macrory report made clear, we decided to introduce additional sanctions. He found that, in the past, UK regulators have relied too much on criminal prosecution as a means of tackling breaches of regulation. He identified a series of weaknesses in the current system. For example, he noted that criminal prosecution may occasionally be a disproportionate response when there is no deliberate intent or wilfulness to break the law. He also identified evidence of a compliance deficit, whereby regulators leave many breaches unpunished because they have a choice only between criminal prosecution and informal advice to tackle regulatory non-compliance.

Macrory also made clear his view that the deterrent was occasionally insufficient. He noted the criticism that the current system provides insufficient tools, with the courts handing down fines that often do not reflect the seriousness of the offence or the financial benefit gained through wilful non-compliance with the law. He also noted that prosecutions take time and money. Heavy reliance on formal criminal prosecutions makes resolving such cases a costly and time-consuming exercise for business and regulators. In many instances, given regulators' limited resources, the cost or expense of bringing criminal prosecutions deters the regulator from taking any action in all but the most clear-cut cases.

Civil sanctions will allow regulators to act in a more proportionate and targeted way, thus helping to close the compliance deficit and delivering considerable savings to both businesses and regulators.

The hon. Member for Brent, East asked about restorative justice. Part 3 already includes a significant element of restorative justice through enabling regulators to impose restoration notices and accept undertakings offered on their business to rectify any harm caused by its non-compliance. The Better Regulation Executive is working in partnership with regulators to explore how they may develop restorative justice schemes locally.

The hon. Member for Beverley and Holderness expressed concern that under the Bill regulators would act as judge, jury and sentencer. Opposition Front Benchers picked up on that, as did Lord Lyell in the other place. The Bill allows many regulators to receive significant new powers and also includes important safeguards. First, the regulator will need to be satisfied beyond reasonable doubt that an offence has been committed—that is the criminal standard of proof. Secondly, the person whom the regulator suspects of committing the offence will be able to make representations to the regulator before a fixed monetary penalty or a discretionary requirement can be imposed. Thirdly, and perhaps most important, the Bill provides, as I made clear in my intervention, a right of appeal to an independent, impartial and expert tribunal.

We firmly believe that the provisions in part 3 are fully compatible with our obligations under the European convention on human rights.

Mr. Stuart: The Under-Secretary makes reasonable points. Are the Government prepared to discuss the fine levying and the conditions to be placed on that in Committee?

Mr. Thomas: We are always happy to discuss reasoned cases that are put to us. I know that my hon. Friend the Minister will enter the Committee stage in that spirit.

My hon. Friend the Member for Ellesmere Port and Neston mentioned variable monetary penalties. Perhaps I should give an example of the potential benefit of the provision. If the security industry decided that it wished to use the powers in the Bill for wheel-clamping, the new sanctions could be used to tackle unlicensed wheel clampers or organisations that use wheel clampers directly. A fixed monetary penalty could be imposed for failure to hold a licence or a variable monetary penalty to remove profit made by unlicensed wheel clampers. I suspect that many hon. Members who have received complaints from constituents about the way in which wheel clampers operate will welcome that.

The Bill will promote better consistency of treatment for business and provide a more effective and flexible range of responses for regulators on the ground, with a view to promoting compliance and minimising the unnecessary burdens associated with regulation in practice. The Bill will modernise the way we enforce regulations, with benefits for consumers, businesses, and regulators. I commend it to the House.

Question put and agreed to.

Bill accordingly read a Second time.

REGULATORY ENFORCEMENT AND SANCTIONS BILL [*LORDS*] (PROGRAMME)

Motion made, and Question put forthwith, pursuant to Standing Order No. 83A (Programme motions),

That the following provisions shall apply to the Regulatory Enforcement and Sanctions Bill [*Lords*]:

Committal

1. The Bill shall be committed to a Public Bill Committee.

Proceedings in Public Bill Committee

2. Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Tuesday 1st July 2008.

3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Consideration and Third Reading

4. Proceedings on consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which those proceedings are commenced.

5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.

6. Standing Order No. 83B (Programming committees) shall not apply to proceedings on consideration and Third Reading.

Other proceedings

7. Any other proceedings on the Bill (including any proceedings on consideration of any message from the Lords) may be programmed.—*[Alison Seabeck.]*

Question agreed to.

REGULATORY ENFORCEMENT AND SANCTIONS BILL [*LORDS*] [*MONEY*]:

Queen's recommendation having been signified—

Motion made, and Question put forthwith, pursuant to Standing Order No. 52 (Money resolutions and ways and means resolutions in connections with Bills),

That, for the purposes of any Act resulting from the Regulatory Enforcement and Sanctions Bill [*Lords*], it is expedient to authorise—

(1) the payment out of money provided by Parliament of any expenses of the Secretary of State attributable to the Act; and

(2) any increase attributable to the Act in the sums payable under any other Act out of money so provided.—*[Alison Seabeck.]*

Question agreed to.

REGULATORY ENFORCEMENT AND SANCTIONS BILL [*LORDS*] [*WAYS AND MEANS*]

Motion made, and Question put forthwith, pursuant to Standing Order No. 52 (Money resolutions and ways and means resolutions in connection with Bills),

That, for the purposes of any Act resulting from the Regulatory Enforcement and Sanctions Bill [*Lords*] it is expedient to authorise—

(1) the making of provision under the Act in relation to income tax, corporation tax, capital gains tax, stamp duty or stamp duty reserve tax in connection with any transfer under the Act of any property, rights or liabilities of the Local Better Regulation Office, and

(2) the payment of sums into the Consolidated Fund.—*[Alison Seabeck.]*

Question agreed to.

PETITION

A50 (Staffordshire)

3.26 pm

Mr. William Cash (Stone) (Con): The petition is from Draycott in the Moors parish council and the community of Draycott in the Moors, with the communities and parish councils of Checkley, Forsbrook, Fulford in my constituency and other residents.

The petition states:

The Petition of Draycott in the Moors parish council and the community of Draycott in the Moors, with the communities and parish councils of Checkley, Forsbrook, Fulford and Leigh,

Declares that the constant ever-increasing noise from the 33,000 plus vehicles using the A50 concrete road daily has become intolerable. Residents cannot have their windows open at night even in mid-summer. They are also unable to sit in their gardens in peace as the noise can drown conversations. These and other side effects put a great strain on the nervous system.

The Petitioners therefore request that the House of Commons urge the Government to change the policy of waiting until this surface needs repair, estimated to be in 30 years' time, and resurface the road with a quieter surface immediately.

And the Petitioners remain, etc.

[P000200]

Rural Payments Agency

Motion made, and Question proposed, That this House do now adjourn.—*[Alison Seabeck.]*

3.27 pm

Mr. Graham Stuart (Beverley and Holderness) (Con): It is a pleasure to be in the House this afternoon, knowing that because the Government business has already been completed, the Under-Secretary, other hon. Members and I have until 7 o'clock this evening to discuss the case of my constituent, who was so unfairly treated about his farm payments.

The Rural Payments Agency's handling of the single farm payment scheme is well documented. As a Member of Parliament for a rural constituency with a proud farming tradition, I know only too well the strain that that put on families and businesses over the past few years. Many farmers across the country have been forced out of operation, many took on large amounts of debt, and all have come to regret the administrative incompetence of the Ministers who were then in the Department. Rural communities distrust the Labour Government. They are not convinced that the Government understand, or take any interest in, their way of life, and many have lost faith in their ability to improve things.

I hope that that is a source of regret for the Minister, but I suspect that after the foot and mouth outbreak, the cuts in flood defences before last year's floods, and the failure to distribute awards from the single farm payment scheme on time, he is not especially surprised. I hope, too, that he is embarrassed by the failings of the RPA, which is guilty of staggering incompetence. The conclusions of the National Audit Office report on the delays in administering the single farm payment scheme in 2005 say it all:

> "The Department and the Agency had not fully appreciated the risks and complexities involved in implementing the English model of the single payment scheme. This was, in part, due to a lack of common understanding of the scheme requirements and likely customer behaviours across all key teams within the Department and the Agency."

Whereas Scotland, Wales and most other EU countries opted for payments calculated on the historic basis of claims made by individual farming businesses between 2000 and 2002, England adopted the so-called dynamic hybrid model. I am sure that the Minister who is here tonight would have made different choices, but the Ministers who were there then made that choice. Whereas most Scottish payments were made on time, thousands of English farmers were made to wait. Although the target was to pay 96 per cent. of all money due to farmers by the end of March 2006, by the end of June 2006, 8,586 farmers had not received any money, and 16,168 farmers had received only partial payments amounting to 80 per cent. of their claim.

The result was widespread despair and frustration among members of England's farming community. Some 20 per cent. of those surveyed by the polling company Ipsos MORI said that the delays had caused distress and anxiety to them and their families. The NAO estimated that the delays cost farmers between £18 million and £22.5 million in interest and arrangement fees on additional bank borrowing. Its report stated that some farmers had

> "postponed purchases, sold crops and livestock early or delayed payments to their suppliers."

Only in this Government could the Minister who presided over such a situation be promoted to the post of Foreign Secretary.

The purpose of today's debate, however, is not to slam the Government for past misdemeanours but to set out for the Minister the case of Sam Walton, a farmer constituent of mine. Mr. Walton has, in my opinion, been the victim of an injustice at the hands of the Rural Payments Agency. I gave the historical backdrop by setting out the way in which those payments were introduced to provide an idea of the way in which the agency ran its major project, and it is fair to do that before I deal with the way in which rules were rigidly applied to a small farmer in distress.

The injustice that Mr. Walton suffered has led to his losing out by more than £5,000 each year—a huge sum of money for farmers in today's difficult climate. He has gone through the necessary judicial procedures to retrieve the money, and has got nowhere. As a final resort, he contacted me, and asked me to bring his case before the House. I hope that the Minister will give him a fair hearing this afternoon, and I am confident that he will. Sam Walton is a farmer of long standing in my constituency, and he is highly regarded in the east Yorkshire rural community. He has been farming at his home in the tiny village of Lockington since 1973. During that time, he has built up a plot of land totalling more than 170 acres, and he has become editor of the magazine *Pig World*. His main source of income for the past few years is cereal and rapeseed, as he no longer handles any livestock.

Mr. Walton's troubles began in the year 2000-01, when he contracted with a company to grow beans on his land. The company decided to pay him for that work up front. As a result, it alone collected that year's arable area payment—some £100 per acre. It was a wise decision for Mr. Walton to collect the money before the work was completed. In 2001 he contracted with the same company to grow winter barley. This time no money was collected up front, and when the company went bankrupt later that year, it owed Mr. Walton more than £2,000.

Mr. Walton was diligent before allowing the company to collect that year's subsidy. He contacted the Rural Payments Agency office in Northallerton, North Yorkshire, to ask specifically whether he would be harmed in future if the transfer to the company went ahead. He was assured that he would not lose out as a result. Given the rules at the time, the civil servants who gave him that advice were entirely right to do so, but when the single farm payment scheme was introduced, he was clobbered to the tune of £5,000 a year.

The reform of the EU common agricultural policy in 2003 was generally welcomed by Members on both sides of the House. The original CAP was based on the ludicrous policy of high support prices: the more the farmer produced the greater the benefit he received, which led to overproduction and the selling of cheap food to the developing world. As a result, local and third-world producers were undercut, local economies were damaged, and millions of people were worse off.

The new CAP has done much to mitigate these problems. Farmers are now freer to produce according to market rules. The environmental damage caused by overproduction and intensification has been reduced, and farmers are encouraged to pay more attention to environmental standards and protocol. It is worth noting in passing that many of us had hoped that there would be further serious steps forward in reducing this. News over the past two days has not been promising, although whether it would be within the ambit of the debate for the Minister to comment on that when he replies, I do not know. I leave it to the Chair.

Unfortunately, the way in which the Government introduced the policy of the single farm payment was an unmitigated disaster, both for Mr. Walton and for the many thousands of farmers across the country who received late payments. The decision how to distribute the payments was left to individual EU states. As we all know, the Government decided to introduce the dynamic hybrid system. Up till 2012, payments would be based upon a combination of historic and regional average payments, with the regional average component increasing each year.

The historic reference amount would be calculated on the basis of the livestock and arable aid claims submitted for the farmer in the years 2000, 2001 and 2002. To allow the industry time to adjust, historic payments would be gradually phased out and flat rates phased in, with the historic payments worth 90 per cent. of the total amount for 2005. This rule and its implementation—the choice made by the Government—have led to Mr. Walton's downfall. Because he did not claim the £100 per acre payment to which he was entitled in 2000, he has lost out to the tune of £15,000 over the past three years, despite the fact that during 2000 the farm remained in his control, he was eligible for the payment and he did, in fact, farm the land.

In 2005 Mr. Walton submitted an application for a stage 2 SPS appeal to the Rural Payments Agency. He was given the opportunity to make an oral presentation to a hearing on 4 November of that year. Unfortunately, the single payment appeal panel decided to uphold the decision reached by the RPA. That was later confirmed by a Minister.

I am not asking for a miracle this afternoon. I understand that the Minister is constrained in what he can do, but I trawled through the appropriate European Council regulation No.1782/2003 to see whether there was any scope for helping Mr. Walton—and I was heartened when I discovered that in certain extraordinary circumstances, the historic reference years could be moved, by just one year or by all three. The relevant years could therefore be 1997, 1998 and 1999. Paragraph 4 of article 40 states:

> "Force majeure or exceptional circumstances shall be recognised by the competent authority in cases such as, for example"—

a number of cases are listed, including severe ones such as the death of the farmer, long-term professional incapacity of the farmer, and a severe natural disaster gravely affecting the holding's agricultural land. However, it was clear from the wording of the regulation that the list of examples was not meant to be exclusive, and there was some discretion for the authority concerned.

For a small farmer with a relatively small holding, affected as my constituent has been by a technicality, when the failings of the agency to which he had to appeal were many and manifest, affecting thousands of farmers across the country, it seems demonstrably unfair that the rules should be applied in pernickety detail in his case, whereas the agency was able to flout the rules, fail to make payments, and cause inconvenience and suffering throughout the country. The case required a certain amount of leeway to recognise the circumstances, but that leeway was not given.

I have read articles 40 and 44 of the regulations, and it seems to me that those could cover commercial arrangements between a farmer and a company, if the authorities so desired. I ask the Minister to re-examine Mr. Walton's case, use his best offices and those of his civil servants, contact the RPA and see whether there is some way in which Mr. Walton, a small farmer struggling to make a living, could have an injustice righted.

Sam Walton is of maturing years—although if he is watching this on parliamentary television, he will doubtless be grossly offended by my saying so. He is a remarkably youthful looking man, of course, because of his years of working as a farmer, but it is fair to say that he is older than the average farmer. Mr. Walton has worked hard all his life and contributed enormously to east Yorkshire life. He is an extremely popular figure with those who know him. However, he has been caught out by an administrative difficulty that was no fault of his own. In fact, he had gone to every possible length to ensure that he was being prudent and cautious, by speaking to civil servants before acting.

I hope that the Minister can look into Mr. Walton's case again and ensure, as much as possible, that agencies such as the Rural Payments Agency consider such cases more humanely. If those agencies were run with exemplary efficiency and fulfilled their every requirement to the letter, it might be more understandable that they should apply the rules to the letter when they penalise small farmers. When agencies are not run in that way, it makes it all the more difficult for people such as Mr. Walton to accept the palpable injustice with which they have been treated.

3.40 pm

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Jonathan Shaw): I welcome this opportunity to respond to the comments that the hon. Member for Beverley and Holderness (Mr. Stuart) has made on behalf of his constituent, Mr. Sam Walton, with the reference to the Rural Payments Agency.

By way of background, the single payment scheme was implemented as part of the 2003 reforms to the common agricultural policy, as the hon. Gentleman pointed out, which were the biggest reforms for 30 years. There is a consensus in the House that we want to move away from payments for production. We do not want to see those hideous mountains of butter being dumped on developing countries' markets or those countries then seeking financial support from us. That is not the way to carry on.

We introduced a major reform, but there will be further reforms. Later this year, there will be the common agricultural policy health check, on which the

[Jonathan Shaw]

Government have been actively involved in discussions with the Commission and other member states. We are pursuing what we set out in our vision for reform of the common agricultural policy, moving away from subsidies and using public money for public goods.

Our reform was the biggest for 30 years. Administering the scheme is a major operation, with annual payments in England of a total value of £1.5 billion being made to about 110,000 farmers. Under the scheme, farmers have greater freedom to farm to the demands of the market, as subsidies are no longer linked to production, and environmentally friendly farming practices are better acknowledged and rewarded. That is of benefit to industry and public alike. Unlike the Scottish and Welsh decisions, to which the hon. Gentleman referred, which will be linked to historic production, our decisions are area based and will provide the flexibility that, in today's world, is so important in responding to market decisions.

Under the regional model of the scheme that has been adopted in England, all payment entitlements within each of the three English regions will have the same value by 2012. However, Ministers have recognised that it takes time for farmers to adapt their businesses to the new subsidy regime, so the scheme was designed with a period of transition. During the transitional period to 2012, a declining element of a farmer's payment entitlement will be based on his average subsidy receipts during the single payment system reference period from 2000 to 2002.

Inevitably, there will be some farmers whose production was lower than usual during one of these reference years. The EU rules make certain provisions in that regard. Farmers whose production was adversely affected during the reference period by force majeure or exceptional circumstances could elect to omit the affected years from the calculation of their reference amount. However, the EU rules do not allow affected years to be omitted where the reduced production is the result of a business decision by the farmer.

Unfortunately, Mr. Walton's circumstances arise from a business decision that he made, for understandable reasons, in 2000 when he elected to allow a third party to grow crops and claim the associated subsidy payment on his land. That had the consequence of reducing the value of his entitlements under the single payment scheme. I understand and sympathise with the difficulties that Mr. Walton now faces as a result of earlier decisions, but the Rural Payments Agency applies EU provisions as flexibly as it can and is unable to operate outside those rules.

Farmers who disagree with an RPA decision on the SPS have the opportunity to challenge it via the appeals process, which includes the referral of cases to an independent appeals panel whose members come from the industry rather than Government. A claimant has the opportunity to present his case directly to the panel, which then examines all the facts of the case to see whether the RPA has correctly applied the legislation and its published scheme rules in the circumstances. I am sure that the hon. Gentleman will understand that the panel cannot make recommendations outside the regulations.

The hon. Gentleman has made a reasonable request on his constituent's behalf. He referred to the regulations and asked whether there is scope to consider flexibility within them. It is not often that an hon. Member brings such a case to the Floor of the House. The hon. Gentleman clearly feels that there is a case to answer and he has made his case very reasonably. I agree to his request and undertake to ask officials in my Department and in the RPA to look through the case bearing in mind what he has said, the regulations and their scope. Officials will be able to see from the record what he has said and which issues he has raised, and I shall ask them to cross-check those matters with his constituent's claim.

The hon. Gentleman discussed the RPA; let me discuss the wider issues. My first speech in this House after being appointed by the Prime Minister last June was a response to the inquiry of the Select Committee on Environment, Food and Rural Affairs into the SPS and the RPA. You can imagine, Madam Deputy Speaker, how I spent the weekend before that Monday debate. I repeat what I said then: we did not, by any stretch of the imagination, get the system up and running correctly. The Government have been severely criticised about that, and we have accepted that criticism. It is now our job to ensure that the RPA provides a better service, and it is recovering. Farmers have the right to expect an agency that is committed to delivering.

Mr. Stuart: Before the Minister moves on, I want to put on the record my thanks to him for agreeing to my request. I hope that something positive might result from that.

Jonathan Shaw: I do not want to build up false hopes. The hon. Gentleman said that his constituent is a popular man; if we can get some responses for his constituent, the hon. Gentleman will be an even more popular Member of Parliament than I am sure he already is. My colleagues in the Labour party will, no doubt, send me letters from his constituency after reading those comments.

We want to ensure that the agency recovers, and we believe that it is recovering. A number of steps have already been taken to improve the level of service that the RPA can provide. The RPA has taken measures to reduce the proportion of its staff who are on short-term contracts—a situation that has been criticised by the Select Committee and the Audit Commission. That is an important and necessary step to stabilising the work force. Together with a comprehensive programme of staff training, it is part of the long-term strategy to deliver improvements in the quality of service provided by the RPA.

IT systems have been enhanced to make it easier for one member of staff to deal with a farmer's entire claim. It became clear, over a weekend, that too many staff were dealing with one particular farmer. We have changed that system and there are significant improvements under the leadership of Mr. Cooper. There have been some encouraging signs of progress.

The Rural Payments Agency met the first of its targets for SPS 2007 payments, to make 75 per cent. of full payments by value by the end of March, some five weeks ahead of schedule, and figures published today show that 90.5 per cent. of the fund—£1.312 billion—

has been paid to more than 99,000 customers. That means that the RPA has met its second target of making 90 per cent. of full payments by value by the end of May. The agency is working hard on completing the processing of the outstanding claims as soon as possible.

Although improvements have been made, we all recognise that we cannot and must not stop there. Ministers are committed to working with the agency to ensure that the scheme delivers and continues to improve for the future and, most importantly, for the customers that it serves—England's farmers. I am grateful to the hon. Gentleman for bringing this case to the Floor of the House, and I undertake to accede to his request to have another look to ensure that everything that could possibly have been considered was considered at the time. I will then write to him.

Question put and agreed to.

Adjourned accordingly at nine minutes to Four o'clock.

House of Commons

Thursday 22 May 2008

The House met at half-past Ten o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

BOURNEMOUTH BOROUGH COUNCIL BILL *[LORDS]* *(BY ORDER)*

CANTERBURY CITY COUNCIL BILL *(BY ORDER)*

LEEDS CITY COUNCIL BILL *(BY ORDER)*

LONDON LOCAL AUTHORITIES (SHOPPING BAGS) BILL *(BY ORDER)*

MANCHESTER CITY COUNCIL BILL *[Lords]* *(BY ORDER)*

NOTTINGHAM CITY COUNCIL BILL *(BY ORDER)*

READING BOROUGH COUNCIL BILL *(BY ORDER)*

Orders for Second Reading read.

To be read a Second time on Thursday 5 June.

Oral Answers to Questions

BUSINESS, ENTERPRISE AND REGULATORY REFORM

The Secretary of State was asked—

Miners' Awards

2. **Jon Trickett** (Hemsworth) (Lab): If he will consider the merits of providing an award for those miners who worked in the mines during the second world war equivalent to a Bevin Boys badge; and if he will make a statement. [206979]

The Secretary of State for Business, Enterprise and Regulatory Reform (Mr. John Hutton): The purpose of the Bevin Boys badge is to recognise those who, through conscription, served in the pits during the war. Miners who were already employed in the pits made an enormous contribution to our successful war effort, but were not conscripted, as their role was that of a reserved occupation. On that basis, we have no plans to introduce such an award.

Jon Trickett: I understand my right hon. Friend's reply, but does he agree that wars are won first by the heroism of our troops and our service people, but also on the home front? The Government have clearly acknowledged that in awarding the Bevin badge to people conscripted into the mines. However, many people already in the mines were prevented from joining the services as they might have wanted because they were in a reserved occupation. As a consequence, there is an anomaly. Does my right hon. Friend agree that the men who worked alongside the Bevin boys but have not been recognised regard the situation as an anomaly? Will he or one of his ministerial team meet us to discuss the matter further?

Mr. Hutton: I agree very strongly with what my hon. Friend has said. We were successful in that titanic conflict because the whole resources of the nation were mobilised to defeat the fascist enemy that we were confronting. The miners in the pits made an heroic contribution to the success of that overall war effort and no one should question that. I would be happy to meet my hon. Friend and others who represent mining constituencies to discuss that important issue further.

Mr. Nigel Evans (Ribble Valley) (Con): I am delighted that the Secretary of State has said that he will meet a delegation. He has just recognised the importance of the miners during the war, so why is there so much intransigence from the Government about giving proper recognition to those miners? We know that they played a valuable role. If everybody had left the mines to join the armed forces, the whole country would have ground to a halt. What is holding the Government back from giving proper recognition to the miners?

Mr. Hutton: I do not accept that this is intransigence on the part of the Government and it should be borne in mind that since the second world war all Governments—Conservative as well as Labour—have taken the same view. There are obvious practical difficulties, of which I am sure the hon. Gentleman is aware, including—we should not underestimate this—the issue of accurate records to confirm employment in the pre-nationalised mining industry. As I said, I am happy to have discussions, and if there is a way forward, we should find one.

Mr. David Hamilton (Midlothian) (Lab): I thank my right hon. Friend for agreeing to meet a delegation and I hope that my hon. Friend the Member for Hemsworth (Jon Trickett) will invite me along. May I remind hon. Members that 5,000 miners gave their lives and 20,000 lost their lungs during that war? My constituent Mr. Abe Moffatt, son of Alex Moffatt, was one of hundreds who tried to get into the armed forces, including the RAF, but could not get in and were dragged back to work in the pits. I believe that their contribution should be recognised in some fashion or other.

Mr. Hutton: As I said, I do not think any Member would be wise to call into question the record of service and sacrifice of our miners in the second world war. I am certainly not doing that; as I have said, they made an heroic contribution. I can only repeat what I said earlier: I am very happy to have further discussions with Members on both sides of the House.

Nia Griffith (Llanelli) (Lab): I find myself in a very embarrassing position, because my father was a Bevin boy, as he happened to be the right age at the call-up time and was sent to the mines in his home village. He of course worked alongside many others who did not have the opportunity to be called Bevin boys. That is why I thank my hon. Friend the Member for Hemsworth (Jon Trickett) for raising the issue. It is an embarrassment to me that my father should be entitled to the badge when so many others in his village and my constituency who did exactly the same work have not been recognised.

Mr. Hutton: My hon. Friend has made a very powerful point, which we need to reflect on. I hope that there is consensus in the House about the importance of recognising the service of the Bevin boys. I had the great privilege of attending the reception in No. 10 Downing street when the Prime Minister made the presentation of the badges to the Bevin boys. There was no question but that there were men in that room who had made history. They decided the outcome of a huge conflict and we have all benefited from that successful outcome. If there is a way forward, we should try to find it; and we should do so in a way that is consistent with the service given not just by the miners, but by those in other reserved occupations, too.

Oil Prices

3. **Norman Baker** (Lewes) (LD): What his Department estimates the price of oil will be in 2020. [206980]

The Minister for Energy (Malcolm Wicks): At the moment, of course, it is difficult to estimate what the price of a barrel of oil will be next week, let alone in 2020, as the hon. Gentleman seeks to persuade me to do. Obviously, our Department, while not forecasting oil prices, does publish future price assumptions going forward to 2030. We obviously regularly review these and consult on them, but he will appreciate that the huge increase in the price of a barrel of oil has caught the whole world by surprise and we are in, frankly, difficult and uncharted waters.

Norman Baker: It certainly caught the Minister's Department by surprise, because a parliamentary written answer that he gave me last week showed that his Department thinks it will be $70 a barrel in 2020, so perhaps I can help him with his own figures, which suggest that he may be rather out of touch. Oil consumption is increasing dramatically, not least with China, India and other countries coming on fast. We have more difficulty in getting oil out of the ground—

Mr. Speaker: Order. It is not for the hon. Gentleman to make a speech at this stage; it is a supplementary question. Does he wish to put a supplementary question?

Norman Baker: Thank you, Mr. Speaker. The question is this: given the ludicrous forward projection that I referred to, will the Minister revise his figures, because otherwise his foreign policy, his energy policy and his transport policy will be completely skewed?

Malcolm Wicks: We make a number of assumptions—we have a number of scenarios—going forward. The hon. Gentleman has quoted one. The day that I have to rely on him for statistics is the day that I go somewhere else for my entertainment.

Notwithstanding that question, there are serious issues to consider, and serious people in the House want to address them. Oil prices are going up for a whole range of global factors—difficulties in Africa, Iraq and so on—and we need to think long and hard about them. We are discussing them with oil producers, as I did recently at the International Energy Forum. These are not easy issues. Frankly, simple questions do not help a serious debate.

Mr. Brian Jenkins (Tamworth) (Lab): My hon. Friend must realise that he can estimate just how much profit the oil companies are making. How much do we expect them to put on to the price of a gallon at the pumps for diesel or petrol when we know that they are exploiting the situation from the cartel position that they have got themselves into? When will we deal with that?

Malcolm Wicks: Obviously, considerable revenues go to Her Majesty's Treasury as a result of those oil prices. I repeat that we are dealing with very difficult global circumstances, and the situation is not peculiar to the United Kingdom or Europe. We are discussing the matter with oil producers. Also, of course, moving forward, it will be an incentive to introduce new cleaner and greener car technologies, which are less reliant on traditional fuels. In a sense, that will be a useful side effect of this difficult situation.

Mr. Brian Binley (Northampton, South) (Con): The people of Northampton in particular have been caught by surprise by increasing fuel prices. When we look around the midlands, we find that they are by far the most expensive—more expensive than Nottingham, Leicester, Milton Keynes and Peterborough on average. Indeed, a number of MPs, led by the MEP Chris Heaton-Harris, wrote to the Office of Fair Trading to ask whether it could do anything. I ask the same of the Minister, because Northamptonshire in particular suffers from sizeably high prices. Will he help us to ensure that we can compete fairly on that basis?

Malcolm Wicks: If specific issues are affecting Northamptonshire, and it sounds as though they are, I shall be happy to meet the hon. Gentleman to understand them better.

Mr. Michael Clapham (Barnsley, West and Penistone) (Lab): My hon. Friend will be aware that oil prices reached $130 a barrel this week. The projection is that by the end of the year they could be $150 a barrel. Given that there is an irrational indexation between oil contracts and gas, so that gas prices are pulled in train behind oil prices, does he agree that it is time to look at how we decouple gas prices from oil prices? There is no rationality for that indexation. All that it does is make huge profits for the energy companies.

Malcolm Wicks: I rather agree with my hon. Friend that the whole issue in the gas industry—gas production and gas fields—is often, although not always, different from that in the oil industry. That linkage is not rational, but as he knows, because he has great expertise in this area, it is global and is not peculiar to the United Kingdom or Europe. However, we need to work hard to understand that linkage and to see whether there are ways of decoupling it. At a time of huge increases in wholesale prices for fossil fuels—coal, of course, as well as oil and gas—irrational linkages do not help us.

Mr. Jonathan Djanogly (Huntingdon) (Con): Yesterday an independent industry expert predicted that the price of oil could reach $200 a barrel over a 10-year period. Will the Minister explain how the Government intend to help businesses that will be severely affected in the short term, while also providing a long-term strategy?

Malcolm Wicks: Obviously matters involving tax, which is a factor here, are for the Treasury rather than for our Department, so I will not trespass on that territory.

Globally, we do need increased production, and many of us have had talks about that with some of the key players. Bodies such as the International Energy Forum enable producers and consuming countries to meet. An estimated 80 per cent. of oil resources worldwide are now in the hands of the national oil companies rather than the independent players, and, as the hon. Gentleman will appreciate, that involves a good deal of difficult geopolitics.

In the long term, we need increased production, and yes, the price of a barrel of oil being sky-high will encourage that. As for short-term and medium-term measures, we must all put more emphasis on energy efficiency in business, in industry generally, and indeed in our own households. We need to work harder to build on the good programme that we have to increase the number of new technologies, so that we can constrain energy demand or even reduce it in the future.

Consumer Protection

4. **John Robertson** (Glasgow, North-West) (Lab): What policy options he has considered in relation to protection of consumers from unscrupulous lending and debt collection practices. [206982]

The Parliamentary Under-Secretary of State for Business, Enterprise and Regulatory Reform (Mr. Gareth Thomas): The Government are committed to tackling unscrupulous lenders, including loan sharks who exploit vulnerable people in our poorest communities. In 2004, we established two pilot enforcement teams in Birmingham and Glasgow to track down and prosecute illegal moneylenders. Following evaluation of those pilots, my right hon. Friend the Secretary of State announced the provision of some £2.8 million in September for a national crackdown on illegal lending, and to that end there is now a team in every region of Britain.

John Robertson: My hon. Friend is right: the crackdown has helped, and the Consumer Credit Act 2006 does its bit. However, some startling things are happening nowadays. For instance, sell and rent back seems to be gaining popularity with some people. Does my hon. Friend agree that that is probably another example of unscrupulous lending? Does he also agree that Parliament should examine the issue, and that we should not leave it to the Office of Fair Trading to determine whether such loans are right or wrong?

Mr. Thomas: As my hon. Friend says, we must keep in view the way in which the consumer credit market works, both as a Government and as a Parliament. When we know of the existence of unscrupulous lending, we should take the relevant action to deal with it. We need to ensure that the law is effective and is working. To that end, at a consumers' conference last week, my right hon. Friend the Secretary of State announced a fundamental review of the consumer regime with the aim of introducing further measures, in the first instance to help vulnerable consumers.

Mr. Charles Walker (Broxbourne) (Con): Does the Minister think that high street banks are doing enough to help people on low incomes to gain access to mainstream financial services? What measures are the Government taking to encourage the banks to do more than they are currently doing?

Mr. Thomas: We would always encourage high street banks to keep under close review what more they can do to help low-income consumers and those who are in trouble. As the hon. Gentleman will know, the Treasury has embarked on various kinds of work with the banks, and, through a growth fund for third sector lenders such as credit unions and community development financial institutions, has provided some £38 million to expand that work. More than 76,000 loans have already been made to financially excluded consumers through growth-funded credit unions, and we seek to invest even more through additional funds that have been provided.

Mr. Mark Todd (South Derbyshire) (Lab): My hon. Friend will recall the Adjournment debate that I led on the tragic death of Mrs. Brazier in my constituency following the actions of debt collection agencies seeking repayment of debt that was not hers. Does he share my alarm that practices including the collection of money by an agency from a person unrelated to a debt who is clearly in distress continue and are, apparently, robustly defended in the industry?

Mr. Thomas: I pay tribute to the way in which my hon. Friend has pursued the case of Beryl Brazier. He will know from the Adjournment debate that he initiated just before Christmas of the steps we have taken and the conversations that have taken place both with the Information Commissioner and the Office of Fair Trading. He may be aware, too, that as part of a recently completed investigation the OFT has issued warnings to some 13 companies involved in this area of work, telling them how they need to take steps to improve their work.

Mr. Mark Field (Cities of London and Westminster) (Con): The hon. Member for Glasgow, North-West (John Robertson) raises an important point, particularly at a time when there is increasing consumer debt, which is likely to continue in the period ahead. Does the Minister agree that what is needed is not simply more legislation or even more initiatives, all of which are welcome, but his Department working closely with the police to ensure that some of the very worst practices are stamped out?

Mr. Thomas: I agree absolutely that there has to be effective joint working across a range of agencies. In the case of the illegal moneylending teams of which we are seeing the roll-out, there is effective collaboration not only with the police but, on occasion, with housing associations and housing authorities to help crack down on certain areas. It is frequently the most vulnerable people in our communities who are exploited and targeted by loan sharks. The two teams in Birmingham and Glasgow have had a series of successful prosecutions of often very violent people, helping to get better protection for people in vulnerable communities and to lock away some particularly unpleasant individuals.

Mr. Richard Bacon (South Norfolk) (Con): It is now three years since consumer credit legislation covering this area was introduced, and it does not sound as if it is working well enough. Does the Minister agree that if there is one area where many people would support the most swingeing powers for Government, it is in cracking down on these dreadful people?

Mr. Thomas: The tools are there, through both the reforms that we have introduced to consumer credit through the Consumer Credit Act 2006 and the illegal moneylending teams that we have established. The successes of the two pilot teams in identifying some 250 illegal lenders in Glasgow and Birmingham have benefited some 2,000 victims and helped to save them an estimated £3.3 million in payments that they would otherwise have had to make. The fact that they have also led to successful prosecutions should give Members confidence that the roll-out across the country of illegal moneylending teams will enable us to continue to bear down on such terrible practices.

Fuel Poverty

5. **Steve Webb** (Northavon) (LD): What his most recent estimate is of the number of (a) households and (b) individuals living in fuel poverty. [206984]

The Minister for Energy (Malcolm Wicks): The most recent figures show that approximately 2.5 million UK households were in fuel poverty in 2005. Fuel poverty is not measured at individual level. UK figures for 2006 will not be finalised until later this year, when the results of efficiency programmes will be known. I am conscious that there is a time lag in the data because of the methodology required. I am also conscious that fuel poverty is now moving in the wrong direction, partly for the macro level reasons of global energy prices that we were discussing. The Government are committed to doing their utmost to protect the most vulnerable in winter from rising fuel prices.

Steve Webb: I am grateful for those estimates. As the Minister's answer indicates, two or three years ago perhaps 5 million or 6 million men, women and children were living in fuel poverty and the numbers have soared since then. Can he estimate what proportion of them the Budget measures will have taken out of fuel poverty, and given that vast numbers will remain in it, what is his strategy for abolishing fuel poverty, which is his stated policy?

Malcolm Wicks: It is our stated policy because it has to be intolerable that vulnerable people, particularly the very elderly who often live in the most energy-inefficient dwellings, can be cold in winter. As the hon. Gentleman knows, in the Budget the Chancellor increased winter fuel payments by £50 for the over-60s and by £100 for the over-80s. Since 2000, the Government have spent some £20 billion on fuel poverty benefits and programmes. My right hon. Friend the Secretary of State has reached agreement with the six largest energy supply companies to increase their collective level of spend on social tariffs and programmes from £50 million to about £150 million a year by 2010-11. We are also working very hard on other measures.

Mr. Mike Weir (Angus) (SNP): The Minister will be well aware that the Business, Enterprise and Regulatory Reform Committee is conducting an investigation of energy prices. He has mentioned the social tariffs from the big six companies, but many people rely on home fuel oil and bottled gas, especially in rural areas, and they are not subject to any social tariffs. When the Committee asked Ofgem and Energywatch about regulation of that sector, it became apparent that there is none. Will the Minister look into that and will he ask the National Consumer Council, which will take over from Energywatch, to ensure that those people who do not have any protection are included in the energy section for future investigation?

Malcolm Wicks: Obviously we are looking into that, and we need to ensure that we have fair trading wherever possible. I have received many letters from Members of Parliament on behalf of concerned constituents about this very question. We have had a programme to connect people to mainstream gas supplies and have made some progress with that, although it is not always possible. We also need to look hard at the contribution that can be made by microgeneration, such as heat pumps, to tackle some of the difficult and important questions that arise in many constituencies.

Mr. David Evennett (Bexleyheath and Crayford) (Con): Is the Minister aware of and sympathetic to the real concerns of pensioners in my constituency about the rising cost of fuel? Is he aware of the Age Concern report that says that more than 150,000 people aged over 65 died in the past six winters? What is his assessment of the current situation?

Malcolm Wicks: This Government have taken unprecedented action on energy efficiency and winter fuel payments compared with other Governments—I recall pressing another Government to take action 30 years ago, but only this Government have done so. My assessment of the situation is that, after years of progress because of our action, it is now much more difficult because of rising energy costs. We are therefore redoubling our efforts to ensure that we can tackle that evil problem through better targeting—although there are data protection issues—energy efficiency programmes, enhanced social tariffs and winter fuel payments.

Charles Hendry (Wealden) (Con): Is the Minister aware that yesterday gas was trading at 57p a therm, but that the forward price for next winter is 94p a therm, an increase of more than 80 per cent. and twice the level at which it was trading last winter? Is he also aware that other European countries are seeing increases in their domestic energy prices of some 40 per cent. and experts here predict that we too may see increases of that shocking magnitude? Does he understand the pressure that that will have on all consumers, but especially the devastating effect that it will have on the increasing numbers in fuel poverty? What steps can the Minister take now to prepare for what will be a very tough winter and ensure that his commitment to remove vulnerable people from fuel poverty by 2010 is met?

Malcolm Wicks: We only recently had a meeting, hosted by Ofgem, with all the key Departments, and some announcements of new measures will be made soon. I have mentioned the recognition by the Chancellor in winter fuel payments and the recognition by the energy supply companies, encouraged by us, in trebling the amount that they offer through social tariffs. I am aware of the issues and I am even more interested in practical recommendations, so I would be happy to talk about that with the hon. Gentleman. We need to target our resources better, not least the energy efficiency programmes, and to examine whether new technologies such as microgeneration can make a contribution.

Minimum Wage

6. **Mark Lazarowicz** (Edinburgh, North and Leith) (Lab/Co-op): How many locations the minimum wage bus has visited in the last two months. [206986]

The Minister for Employment Relations and Postal Affairs (Mr. Pat McFadden): The start and finish dates of the national minimum wage bus campaign, which was part of a wider publicity campaign for the minimum wage, were 9 January and 9 March 2008. During this time, the bus visited 64 locations and received extensive media coverage. The Government also organised poster campaigns, radio advertising and online advertising about the minimum wage.

Mark Lazarowicz: If we publicise the minimum wage, as we ought to, we must also enforce it. The more we publicise it, the more people want to see it enforced. A constituent who contacted me went to the national minimum wage unit for assistance, and it investigated the complaint, but she reported that it was heavily overworked and that there was a massive backlog of cases. Will my hon. Friend look at ways to strengthen the enforcement team to ensure that people who are entitled to the national minimum wage get it, too?

Mr. McFadden: I absolutely agree with my hon. Friend that the national minimum wage must be properly enforced. Over the past year, Her Majesty's Revenue and Customs, which carries out the enforcement work, helped some 19,000 people recover about £3.8 million in arrears. The Government have put extra resources into enforcement and the Employment Bill, which is being discussed in the other place, will strengthen the system of penalties for that small minority of unscrupulous employers who refuse to pay the minimum wage. It will also strengthen the arrears system for people such as my hon. Friend's constituent.

Postal Services

7. **Mr. Alistair Carmichael** (Orkney and Shetland) (LD): What progress has been made on the Hooper review on liberalisation of postal services; and if he will make a statement. [206987]

The Secretary of State for Business, Enterprise and Regulatory Reform (Mr. John Hutton): The review's first report was published on 6 May. It described the current state of the Royal Mail business and changes taking place in the market. I have asked the review team to come forward with proposals later in the year to improve the efficiency of the service and to ensure that the universal postal service is maintained.

Mr. Carmichael: I am grateful to the Secretary of State for that answer. The interim report concludes that only a handful of the big mail companies have benefited from liberalisation and that

> "There have been no significant benefits for smaller businesses and domestic consumers."

Will he use the interim report as the basis for starting the work in his Department on how a levy might be placed on those operating in the liberalised market that do not provide a universal service in order to support the universal service? If we wait for further conclusions, it might simply be too late.

Mr. Hutton: I will not pre-empt the review team's conclusions. We should all wait until we see the final recommendations from Richard Hooper's team. The hon. Gentleman is quite right that the principal beneficiaries of the liberalised postal services market have been the big-volume large corporations that have significant amounts of addressed letters going through. His constituents and mine have not seen a significantly improved service at all. We have to consider that very carefully.

Clive Efford (Eltham) (Lab): Further to the point raised by the hon. Member for Orkney and Shetland (Mr. Carmichael), the fact is that liberalisation has meant that many companies can cherry-pick the most lucrative parts of the mail system. That is creating the problem for Royal Mail. Since in order to survive businesses rely on Royal Mail's ability to deliver the last mile, it is essential that they be forced to pay towards maintaining that universal service. Otherwise, it will fall on the public purse to maintain the service so that we can supply mail across the country, and even to areas such as Orkney and Shetland.

Mr. Hutton: We need a competitive regime for postal services that encourages innovation, new investment and so on, and that does so at a price that ordinary consumers can sustain. As I said, I shall not pre-empt the outcome of the report and I certainly shall not commit myself today to taking specific measures. We need to see the outcome of the wider study in which the review team are engaged to which our manifesto committed us.

Sir Patrick Cormack (South Staffordshire) (Con): As one who has always supported the Royal Mail and did not welcome the liberalisation, I ask the right hon. Gentleman whether he agrees that my constituents, and his, have received a continually deteriorating service. It would be appalling if, having lost the second delivery, we lost the delivery on a Saturday. Will he do everything in his power to ensure that the people of this country get a decent service from the Royal Mail?

Mr. Hutton: Yes, I will. I agree with the hon. Gentleman's comment about the importance of a delivery on Saturday, too. I do not think that we will build confidence in the need for the taxpayer to continue to invest significant amounts of money in the Royal Mail—we are putting nearly £2 billion in to sustain the Royal Mail network and to modernise it to meet the challenges of the future—if the price is a constantly deteriorating service to consumers. We cannot build consensus on that basis and on those terms.

Mr. Alan Reid (Argyll and Bute) (LD): Will the Secretary of State assure the House that the universal service obligation will not be watered down in any way?

Mr. Hutton: Our commitment is to sustain the universal service obligation, and we have made that very clear. As the hon. Gentleman will know, sustaining the universal service is Postcomm's principal responsibility, according to legislation that this House has passed. We believe strongly in the universal service obligation: it is an essential feature of our country and our civic, economic society that there should be a universal service, accessible across the country at a standard universal rate.

Mr. John Baron (Billericay) (Con): Given that the National Federation of SubPostmasters believes that the failure to keep the Post Office card account will result in a further 3,000 post offices closing, will the Secretary of State now listen to residents up and down the country? They are fed up with post office closures, as he will know from his own constituency, where he is trying to stop a closure. Will he give a firm undertaking that the decision on the card account will be announced in a statement to the House before the summer recess?

Mr. Hutton: The hon. Gentleman has acknowledged from the Opposition Front Bench that there is a consensus in the House that the sub-post office network will need to be smaller. The shadow Secretary of State has made that commitment clear in this House, so I do not know quite what the hon. Gentleman's point is. He will know that the Post Office card account is a matter for my right hon. Friend the Secretary of State for Work and Pensions, but I hope that an announcement can be made as soon as possible.

Open-cast Mining

8. **Mark Pritchard** (The Wrekin) (Con): What recent discussions he has had with UK Coal on open-cast mining in Shropshire. [206988]

The Minister for Energy (Malcolm Wicks): None.

Mark Pritchard: I think that I am grateful for that reply. It was one of the shortest I have ever heard from the Minister, but I hope that he will have contact with UK Coal because, as he may be aware, the company plans to mine 900,000 tonnes of coal in my constituency. My constituents are reasonable people, and I hope that I am a reasonable person, too. We accept that coal has a part to play in Britain's future energy mix, but does he accept that open-cast mining must take place in appropriate locations, and not in areas of outstanding natural beauty?

Malcolm Wicks: The hon. Gentleman has a great reputation for being a reasonable man, and that is why I gave him an accurate and reasonable answer, in plain English. I live in dread of Mr. Speaker reprimanding me for giving answers that are too long. However, I know that the issues to do with open-cast mining are controversial and I discuss them generally with the Coal Authority, although not specifically in relation to his county. We see coal as part of the mix, and that includes open-cast mining, although it needs to be undertaken in the most sustainable ways.

Pharmaceutical Sector

9. **Mrs. Maria Miller** (Basingstoke) (Con): If he will make a statement on the future of the UK pharmaceutical sector. [206989]

The Parliamentary Under-Secretary of State for Business, Enterprise and Regulatory Reform (Mr. Gareth Thomas): The UK is one of the world's leading locations for pharmaceutical research and development, and the Government are committed to maintaining and strengthening that position.

Mrs. Miller: I thank that Minister for his reply, as employment in the pharmaceutical sector remains a very important part of the business base in my constituency of Basingstoke. However, one of those employers, the Shire Pharmaceuticals Group, has decided to move its tax base from the UK to Ireland. Does he think that that decision was influenced by the fact that corporate tax in Ireland is less than half what the company has to pay in the UK? Does he share the CBI's concern that the UK's uncompetitive corporate tax system is spoiling this country's attractiveness as a place to do business? As the company says, other firms that are internationally mobile—

Mr. Speaker: Order. Perhaps it would be helpful to ask only one supplementary question.

Mr. Thomas: I am slightly surprised that the hon. Lady did not note in her question that Shire has said that its UK employees will not face job losses or relocation. I recognise the concerns that she says Shire has about its tax position, but the UK has one of the lowest rates of corporation tax in the EU. She will know that the Chancellor has set up a group that will continue to look at tax competitiveness. There is a representative of the pharmaceutical industry in that group.

Fiona Mactaggart (Slough) (Lab): The Minister said that the UK is a world leader in pharmaceuticals, but my constituency of Slough is a national leader in biopharmaceuticals. However, if residents of Slough are to benefit from jobs in the knowledge economy, we need to have the appropriate skills in the local community. Will the Minister discuss with his colleagues in the Department for Innovation, Universities and Skills how we can prepare young people better for such high-value jobs?

Mr. Thomas: My hon. Friend is absolutely right. One of the reasons the pharmaceutical industry continues to see the UK as such a good place to be based is the quality of talent available to work in the sector. As she rightly acknowledges, we cannot afford to be complacent about that skills base, and we do need to put in place a series of further steps. That is one of the reasons, for example, that modern apprenticeships are being brought back. I am of course very happy to ensure that further discussions take place across government—not just with DIUS, but with the Department for Children, Schools and Families—to look at what else we can do in future to ensure that we have the skills that the pharmaceutical industry and other manufacturing industries need to continue to thrive.

Mr. Simon Burns (West Chelmsford) (Con): Will the Minister accept that it is self-evident that a thriving pharmaceutical sector manufacturing drugs is reliant on a vigorous and successful retail sector? As a result, will he have input into the Department of Health's current review of pharmacy services, to ensure that the unfair practice whereby supermarkets can force out small, family run pharmacies is put to an end immediately?

Mr. Thomas: The hon. Gentleman will know that the Competition Commission published a report on the retail sector. The Government are considering our response to it, which we hope to publish before the summer.

Renewable Energy

11. **Hugh Bayley** (City of York) (Lab): What the change in the amount of electricity generated from renewable sources in the UK has been over the last 10 years. [206991]

The Minister for Energy (Malcolm Wicks): The amount of electricity generated from renewable sources increased by 12,500 GWh between 1996 and 2006, to be more than three times the level it was 10 years earlier. It now represents about 5 per cent. of our electricity. The Government will consult over the summer on what more we should do to increase renewable energy use to meet the UK's share of the European Union 2020 renewable energy target.

Hugh Bayley: Almost everybody wants to see more energy produced from renewable sources, but whenever an application is made for a wind turbine, there are objections and delays and, more often than not, a rejection of a proposal. Last week, I went with the International Development Committee to Germany and Denmark, and both are far ahead of where we are. Does my hon. Friend agree that the planning laws are resulting in millions of tonnes of carbon unnecessarily being pumped into the atmosphere? In fact, they are an ecological and environmental disaster. Will the Government do something about it?

Mr. Speaker: Order. When supplementaries are too long, it is unfair to other hon. Members in the Chamber.

Sir Patrick Cormack (South Staffordshire) (Con): Especially when they are rubbish.

Malcolm Wicks: My hon. Friend the Member for City of York (Hugh Bayley) never talks rubbish; it is a perfectly proper question. We are of course reforming the planning laws with the independent planning commission. Although it is perfectly right and proper that we safeguard the right of local communities to voice their concerns, we do need faster access to infrastructure because of climate change. There are a number of projects in the pipeline—renewables that will be built—and various reforms, including planning, will ease our progress.

Empty Property Relief

12. **Mr. Philip Hollobone** (Kettering) (Con): What discussions he has had with the Department for Communities and Local Government on the effect on small and medium-sized businesses of the abolition of empty property relief. [206992]

The Minister for Energy (Malcolm Wicks): The Department for Business, Enterprise and Regulatory Reform has regular discussions with other Government Departments on matters affecting business. The reform of empty property relief follows the recommendations of Kate Barker's independent review of land use planning and Sir Michael Lyons' independent inquiry into local government. The aim is to promote the supply of commercial property by providing a strong incentive for owners to re-use, re-let or redevelop their properties. This will improve competitiveness for all businesses that rent premises, including, of course, small and medium-sized enterprises.

Mr. Hollobone: Is the Minister aware that the proposals will have the opposite effect? Small property businesses in Kettering are telling me that they will not invest in property unless they have a client ready to move in on day one. Will that not reduce flexibility for business relocation and actually hinder economic growth?

Malcolm Wicks: It surely cannot be right that, as a perverse consequence of business rating, people had no real incentive to let properties, when many small businesses want them. It is not surprising that the Federation of Small Businesses called for empty property rates to be reformed in its submission to the Lyons inquiry. I would have thought that the approach that we are taking is good for business. If people cannot let because rents are too high, they should lower them. We are in favour of competition for small businesses.

Grocery Sector

13. **Andrew George** (St. Ives) (LD): What assessment he has made of the Competition Commission's report on the grocery sector. [206993]

The Parliamentary Under-Secretary of State for Business, Enterprise and Regulatory Reform (Mr. Gareth Thomas): As I have said, the Government very much welcome the Competition Commission's report on the UK grocery market. It is a detailed and thorough piece of work. My colleagues and I are considering the report and its recommendations and will provide an agreed Government response before the summer recess.

Andrew George: I am grateful to the Minister for that response. In a debate last week, the Minister acknowledged that, if the major retailers failed to reach a voluntary conclusion on the supermarket code of practice and the establishment of an ombudsman,

> "the Government will be asked to step in and legislate."—[*Official Report, Westminster Hall*, 13 May 2008; Vol. 475, c. 372WH.]

Can the Minister envisage circumstances in which his Department would dismiss the findings and fail to step in?

Mr. Thomas: With the greatest respect to the hon. Gentleman, I will not try to speculate about a range of different scenarios. The Competition Commission will engage with the retailers next week, as he knows, in the way that we discussed. We want agreed conclusions between the industry and the Competition Commission. If conclusions cannot be agreed between the two sides, we will have to look at the situation on its merits at the time. My understanding is that those conversations are taking place, that they are positive and that both sides are approaching them constructively, and I welcome that.

Topical Questions

T1. [207003] **Andrew Mackinlay** (Thurrock) (Lab): If he will make a statement on his departmental responsibilities.

The Secretary of State for Business, Enterprise and Regulatory Reform (Mr. John Hutton): The central purpose of the Department for Business, Enterprise and Regulatory Reform is to help to ensure the success of UK businesses in an increasingly competitive world. We promote business growth and a strong enterprise economy, lead the better regulation agenda and champion free and fair markets. We are the shareholder in a number of Government-owned assets, such as Royal Mail, and we work to secure clean and competitively priced energy supplies.

Andrew Mackinlay: I thank the Secretary of State, but when he goes back to his civil servants he should say that they left out the important words "protecting the consumer" from what he just said. Will he consider legislation to protect the consumer against abuse by mail order businesses, particularly some high-performing, big names in the retail market—Sainsbury's, AOL and computer firms—so that instead of having to listen to Vivaldi six or seven times, or 100 times, we can get through to a live person for a swift remedy? Particularly disadvantaged are the poorest and most disadvantaged and inarticulate people who want swift remedies from those rogue but big-named retail outfits. Get my drift?

Mr. Hutton: In my answer, I made it very clear that the central purpose of the Department is to support fair markets, and implicit in that is that we look after the needs of consumers. Fair markets do not exist unless there are proper consumer safeguard standards. On the point that my hon. Friend made, we have put in additional resources and strengthened the law to deal with the abuses that he and others have brought to our attention in the House. I reject absolutely his suggestion that we are not bothered about the needs of consumers. We put a very high premium indeed on protecting consumers from unfair trading practices.

T3. [207005] **Mr. Andrew Robathan** (Blaby) (Con): Having closed a swathe of post offices under the so-called urban network reinvention programme between 2002 and 2004 and now closing another swathe of post offices across the country, presumably as part of a grand plan to whittle down the Post Office to about one, will the Secretary of State tell me about the consultation process? Frankly, most people in my constituency and I think across the country, believe that the entire consultation process is a complete sham.

Mr. Hutton: As the hon. Gentleman knows, successive Governments have had to deal with the reality of facing the change in postal services. Several thousand post offices closed under the Conservative Government. We have to deal with the fact that consumers are using the Post Office less. We have new technology in the digital age. In fact, people can now download stamps online without needing to go to a post office to buy them. That is the economic reality that we must deal with, so it is an extremely difficult situation.

We understand and acknowledge the importance of local sub-post offices and the support for them that has been expressed up and down the country. We have tried to design a consultation process that extends the maximum opportunity for people to be involved in making what at the end of the day the hon. Gentleman and other hon. Members have to understand are important decisions that must be made if the post office network is to have a secure long-term future. We are providing nearly £2 billion-worth of subsidy for the Post Office to support a significantly larger network of sub-post offices than would be the case if we were approaching the issue solely on a strictly commercial basis. We are doing our very best to ensure that the changes are made in the most fair and sensible way possible.

Mr. Angus MacNeil (Na h-Eileanan an Iar) (SNP): Salmon farming is a big employer in my constituency. There are concerns that the minimum import price for salmon might be under threat. What efforts are being made to maintain the minimum import price for salmon, particularly at a European level?

The Parliamentary Under-Secretary of State for Business, Enterprise and Regulatory Reform (Mr. Gareth Thomas): The hon. Gentleman may know that anti-dumping duties have been imposed. A review of anti-dumping duties is currently being undertaken. We have made clear our concerns about continued dumping affecting the Scottish salmon industry. We have had discussions directly with the Scottish Executive and, crucially, made joint representations to the European Commission, in particular to the Trade Commissioner.

T2. [207004] **John Robertson** (Glasgow, North-West) (Lab): My hon. Friend issued a written statement following the conclusion of the Farepak inquiry and said that regulation would be considered in the light of action taken by surviving Christmas savings schemes. However, in the past few years other retailers outside that group have also gone bust, which has had a disproportionate effect on people who can least afford it. My right hon. Friend the Secretary of State spoke earlier about the need to look after consumers. Does my hon. Friend agree that it is time that we looked at consumers and the prepayment industry in general?

Mr. Thomas: My hon. Friend is right to acknowledge the considerable concerns in many communities across the UK about the collapse of Farepak and what that means for the prepayments industry in general. He may not be aware that we are in conversation with the industry about the case for regulation, looking at it in the light of the work done by the companies investigation branch. He will know, as a result of the written ministerial statement, that we are taking legal advice following the completion of that report, and we are considering whether further regulation of the industry is needed.

Sarah Teather (Brent, East) (LD): This week an international conference began in Dublin to negotiate a ban on cluster bombs. Given his Department's review of the Export Control Act 2002, will the Minister commit to a ban on the trade in all such weapons, and will he extend that control to UK persons trading from anywhere in the world?

The Minister for Energy (Malcolm Wicks): We are engaged in a major review of export control. We have already announced a number of extra controls, including the extraterritorial role of British citizens in relation to small arms, for example, and MANPADS—man-portable air defence systems. The review is continuing and we are examining that important aspect.

T4. [207007] **Miss Anne McIntosh** (Vale of York) (Con): The Secretary of State must accept that the consultation on post offices was flawed, and he must take responsibility for that. North Yorkshire county council wrote to him in January this year, saying that one of the fundamental criteria on which the consultation was based—namely, that no resident would be further than 3 miles from a post office—simply cannot be met in rural parts of north Yorkshire. What reply has he given to North Yorkshire county council in that point?

Mr. Hutton: I do not accept the hon. Lady's allegation that the consultation process was flawed. She will know that the work that was done in defining the terms of the national access criteria included the provision of suitable outreach and mobile postal services. As I said earlier, we are doing our level best to find the most sensible way of resolving the fundamental economic issue that has to be addressed about the future viability of the post office network, and it does no one—the hon. Lady or anyone else—any good to bury their head in the sand when it comes to the fundamental economics that must be addressed.

T5. [207009] **Jessica Morden** (Newport, East) (Lab): Will the Minister, working with the Department for Children, Schools and Families, tackle the issue of the travel industry vastly inflating the cost of family holidays during school holidays, especially when we are urging parents not to take their children out of school in term time?

Mr. Thomas: A former consumer affairs Minister, my hon. Friend the Member for Bradford, South (Mr. Sutcliffe), held a series of discussions with the travel industry and the Department for Children, Schools and Families to consider that issue. I am happy to re-examine the effectiveness of the measures that were agreed with the travel industry, because there are ongoing concerns about the travel industry raising prices outside term time.

Mr. Geoffrey Clifton-Brown (Cotswold) (Con): When considering how best to encourage inward investment into this country, is it not the case that having nine regional development agencies and three devolved Assemblies, all of which are opening offices abroad—often in the same city, let alone the same country—dilutes the UK plc brand and does not effectively deal with our balance of payments deficit?

Mr. Hutton: Last year was a record year for attracting foreign direct investment into the UK, and we are set for another record year this year. If the hon. Gentleman's argument is that we are not doing enough to attract foreign direct investment, he has got his sums, his maths and his analysis totally wrong.

Mr. Clifton-Brown: I say to the Secretary of State that that is exactly what I am arguing. Over the past three years, Germany has more than tripled its balance of payments trade surplus, but the UK has quadrupled its balance of trade deficit. Why have the British Government not introduced a proper policy to deal with that problem?

Mr. Hutton: The hon. Gentleman is confusing a number of different issues. The fundamental issue that he has raised is the efficiency and effectiveness of the UK in attracting investment. I repeat that last year was a record year for attracting new investment into the UK and that we will have another record year this year.

T6. [207010] **Laura Moffatt** (Crawley) (Lab): When a business takes its social responsibilities seriously, it enhances the community in which it is situated and does good for those working within it. There are fantastic examples of that in Crawley, where BAA has helped to build centres—

Mr. Speaker: Order. This is just a supplementary question.

Laura Moffatt: How can we help small and medium-sized industries to get involved?

The Minister for Employment Relations and Postal Affairs (Mr. Pat McFadden): I am sure that businesses in Crawley and elsewhere—great British companies—take corporate responsibility very seriously and do excellent work around the country. The Department encourages that practice both internationally, through UK Trade and Investment, and domestically, through the corporate social responsibility website, which provides good advice on such matters.

T7. [207011] **Mark Pritchard** (The Wrekin) (Con): The energy charter treaty is an important legal instrument that supposedly provides legal protection for international energy companies that invest in places such as Russia. Does the Minister for Energy share my concern that the Russian Government do not appear to respect the letter or spirit of that treaty?

Malcolm Wicks: Yes, I do. At all meetings at ministerial and other levels, we urge Russia to sign the charter for the reasons that the hon. Gentleman has mentioned, and we will continue to press that case. We need a good, business-like, professional relationship with Russia, given its energy importance and given the importance of Europe to Russia as a principal customer.

Hugh Bayley (City of York) (Lab): We all know that the public will always oppose post office closures. I want to put on record my thanks to Allan Leighton, the chairman of the Post Office, who considered an application to abandon the proposed closure of Micklegate post office in York. That closure had been approved at three levels of appeal by Post Office managers, but Allan Leighton considered the facts, which members of the public and I sent him, and turned down the closure, and I thank him for that.

Mr. Hutton: I am grateful to my hon. Friend for making that point. I will certainly draw his comments to Allan Leighton's attention.

T8. [207012] **Mrs. Maria Miller** (Basingstoke) (Con): In his earlier response, the Under-Secretary of State for Business, Enterprise and Regulatory Reform, the hon. Member for Harrow, West (Mr. Thomas), said how important the pharmaceutical sector was to the UK economy. Does he share my concern that the actions of his colleagues in the Department of Health in renegotiating the pharmaceutical price regulation scheme halfway through its five-year agreement do little to foster a sense of stability in the UK's pharmaceutical sector and do much to say that the Government do not support the sector as much as they should?

Mr. Thomas: No, I do not share the hon. Lady's view. I welcome the fact that the industry is engaging as effectively as it is with the Department of Health. Those commercially sensitive negotiations are taking place, and we need to allow them to reach their conclusion, so that we can achieve better value for money for the health service and continue to secure the future of the pharmaceutical industry in the UK.

Sir Patrick Cormack (South Staffordshire) (Con): May I ask the Secretary of State whether he will have discussions with the Secretary of State for Health to assess the effect on the nation's blood pressure of the increase in automated phone calls, to which the hon. Member for Thurrock (Andrew Mackinlay) referred? There is nothing more excruciating than being put on hold by a series of Dalek voices.

Mr. Hutton: I shall examine the hon. Gentleman's suggestion, although I am not going to promise that I can take forward that review. Perhaps this holds out the prospect that the Conservative party will do less phone canvassing in Crewe.

Mr. Peter Bone (Wellingborough) (Con): Yesterday, the Government got a Second Reading for their plans to create the local better regulation office, which will be staffed by bureaucrats. It will cost £73 million a year, in order to look after other regulators, and will be imposed on local government. If it is such a good idea, could we not have such an office for national Government, and may I suggest that it be called the department of administrative affairs and that the Secretary of State head it?

Mr. McFadden: I am not sure that I agree with the hon. Gentleman's estimate of the costs, but I know that the Bill passed unopposed by his party yesterday. *[Interruption.]*

Mr. Baron *rose—*

Mr. Speaker: Order. With the greatest respect to the hon. Member for Billericay (Mr. Baron), he was on the Front Bench this morning and he cannot now go to the Back Bench. If someone is going to be a journeyman on the Front Bench, they cannot be an apprentice on the Back Bench.

Business of the House

11.32 am

Mrs. Theresa May (Maidenhead) (Con): May I ask the Leader of the House to give us the forthcoming business?

The Leader of the House of Commons (Ms Harriet Harman): The business for the week commencing 2 June will be:

MONDAY 2 JUNE—Remaining stages of the Planning Bill (Day 1).

TUESDAY 3 JUNE—Consideration of Lords Amendments to the Child Maintenance and Other Payments Bill, followed by a motion to approve a European document relating to the promotion of energy from renewable resources, followed by a motion to approve a European document relating to maritime policy.

WEDNESDAY 4 JUNE—Opposition Day [13th Allotted Day] there will be a debate on an Opposition motion. Subject to be announced.

THURSDAY 5 JUNE—Topical debate: subject to be announced, followed by a general debate on the future of care and support.

FRIDAY 6 JUNE—Private Members' Bills.

The provisional business for the week commencing 9 June will include:

MONDAY 9 JUNE—Conclusion of remaining stages of the Planning Bill.

I should also like to inform the House that the business in Westminster Hall for 5 and 12 June will be:

THURSDAY 5 JUNE—A debate on the report from the Environment Audit Committee entitled "Are Biofuels Sustainable?"

THURSDAY 12 JUNE—A debate on the European Commission's annual policy strategy.

On the question of freedom of information requests in relation to Members' allowances, following the High Court's decision last Friday I can confirm to the House that there will be no further appeal on the applications for information about the allowances claimed by 14 current and former Members. Tomorrow, information in respect of those 14 will be made public in the terms laid down by the High Court. Information in respect of all other current Members will be given out on a single date in the autumn.

On the question of the home addresses of the 14 Members concerned in this case, the information will be made public, subject to individual consideration of security issues. I should like to tell hon. Members that as far as publishing the addresses of all Members is concerned, as Leader of the House, I am determined that hon. Members should be able to speak in this House on controversial issues without looking over their shoulders because their home addresses are in the public domain. We are considering further how we can be sure that the money for Members' London homes is properly spent, but we must also ensure that the protection needed for Members to speak out in the House remains.

Mrs. Theresa May (Maidenhead) (Con): I am sure that the whole House will have welcomed the statement that the Leader of the House has just made, not only on forthcoming business, but on freedom of information. As she has said, our systems need to ensure not only that money is properly spent and that there is transparency, but that hon. Members are not prevented from speaking out as they wish to in the House.

Two significant Bills completed their passage in the other place almost two months ago, but as yet we have been given no dates for their Second Readings in the House. One is the important Children and Young Persons Bill. The other is the Climate Change Bill—a major piece of legislation of real significance for the future. Will the right hon. and learned Lady now tell the House when the Second Readings of those two Bills will be?

The Treasury Committee has accused the Treasury of treating the Bank of England with "contempt" because of the Treasury's handling of key appointments. The contracts of three members of the Bank's court of directors expire in two weeks' time, yet none has been told whether they will be reappointed. Added to that, the deputy governor will be leaving next month and as yet no replacement has been announced. During these times of financial and economic uncertainty, it seems astonishing that the Government should be dithering over those key roles. May we have a statement from the Chancellor in which he tells the House who has been holding up those appointments and whether he will follow the appointments guidelines first proposed by the shadow Chancellor and subsequently adopted by the Prime Minister last year?

It was revealed this week that failures in the tax credit system have cost the taxpayer £10 billion in the past four years; that is an unacceptable sum for the Government to have given out by mistake. Like other hon. Members, I am sure, I hear regularly from hard-working constituency families that repeated such errors have had a serious financial impact on family budgets. Will the Financial Secretary make a statement on what her Department is doing to improve the performance of Her Majesty's Revenue and Customs?

This week, the chief inspector of schools said that progress in raising school standards has stalled and that one in five pupils are failing to master basic English and maths when they leave primary school. The Government promised "Education, education, education", yet they are still failing our children. Is it not about time for a debate in Government time on standards in our schools? On the subject of education, may we also have a statement from the Secretary of State for Children, Schools and Families explaining why schools have had to pull out of the Government's flagship diploma scheme because of inadequate facilities and a lack of training for teachers?

It has been 11 years since the Government promised to end mixed-sex wards. Despite the claim by the Secretary of State for Health last month that the Government were in touching distance of achieving that, we found out this week that in 64 per cent. of hospital trusts, patients still had to walk past patients of the opposite sex to wash. When will the rest of the Government own up and admit, as Lord Darzi has already done, that they have failed on that manifesto commitment? May we have a statement from the Secretary of State for Health on the issue, as a matter of urgency?

[Mrs. Theresa May]

Yesterday, the centre for crime and justice studies at King's College university published a report that clearly showed that the Government's strategy on youth crime is failing. Spending has soared by 45 per cent. since 2000 to £650 million, yet the policy has had "no measurable impact". The Government promised to make cutting the causes of crime a priority, yet they have failed dismally. May we have a statement from the Secretary of State for Justice on the issue, as a matter of urgency?

The Government have hit hard-working families. Taxes and prices are up and promises on schools, hospitals and crime have been broken. After 11 years, people feel betrayed and let down. Is it any wonder that they are saying it is time for change?

Ms Harman: I thank the right hon. Lady for her comments in response to my points about the freedom of information issues. We all want to emphasise that we want probity in how public money is spent, but we must also have democracy, in that people must be able to speak up freely in this Chamber. I thank the hon. Member for New Forest, East (Dr. Lewis), whose early-day motion on this issue is attracting a lot of support.

I am not able to announce the dates for the Children and Young Persons Bill and the Climate Change Bill as part of today's statement, but they will be announced shortly.

The right hon. Lady mentioned Government appointments in relation to the Treasury and the Bank of England, and she might be aware that we have made quite a lot of progress in involving this House in that process through the Select Committee system and pre-appointment hearings. There was an informal discussion between my right hon. Friend the Chancellor of the Duchy of Lancaster and the Liaison Committee yesterday about the involvement of Select Committees in pre-appointment hearings. With regard to the hearings that the right hon. Lady is talking about, the Chancellor of the Exchequer will give evidence to the Treasury Committee when we return after the recess, and the matter could be raised then if members of that Committee so wished.

The right hon. Lady is always quick to point out any problems with tax credits, but I ask her and other hon. Members to recognise that they are an enormously important support for low and middle-income families, particularly—but not only—those with children. Obviously, we want to do more to cut down on fraud and mistakes, and there is a major programme in that respect.

The right hon. Lady mentioned standards in schools. I remind her that there are fewer failing schools and smaller class sizes in primary schools than when we came into government, and that standards are rising. She can put questions on the diploma scheme to the Secretary of State for children, families and schools, but there is a phased roll-out. It was always going to be a phased roll-out in order to give more choice to pupils in the qualifications that they seek to take.

Hon. Members can take up the question of mixed-sex wards with the Secretary of State for Health. I hope that the right hon. Lady's comments on youth crime mean that she will be backing the youth clubs programme that we expect to roll out in all neighbourhoods.

I am aware, Mr. Speaker, that in responding to these points I do not want to trespass on the injunction that you gave last week that we should not make business questions a rerun of Prime Minister's Punch and Judy questions; we should try to make them about the business of the House. I do try to do so, but the trouble is that I feel obliged to respond if the right hon. Lady makes a whole load of party political point-scoring points. I apologise for having to respond, but once again, I have been provoked.

Kate Hoey (Vauxhall) (Lab): I refer the Leader of the House to early-day motion 1509.

[That this House commends the postal staff in the Palace of Westminster for their continued excellent service, loyal dedication and their willingness to go that extra mile for the benefit of all hon. Members; is alarmed that the House authorities are intending to privatise the post services within the Palace; and calls upon those authorities to reconsider immediately.]

May we have a debate on this issue? My right hon. and learned Friend may be aware that a tendering process involving the Royal Mail postal staff in this House has started. Part of the criteria that the House authorities have laid down is that a tender has to be made off site as well as on site. Does she agree that it would be appalling if we lost our Royal Mail postal service and brought in a private competitor that may want to do things more cheaply off site? That would raise all sorts of problems for security and the very good standard of service that we get in the House.

Ms Harman: All hon. Members appreciate the postal services made available to us in this House so that we can communicate with our constituents and more widely. My hon. Friend has drawn my attention to her early-day motion, and I will consider it and write to her. If there is anything further to tell the House about the matter, I shall make a written ministerial statement or communicate with hon. Members in some other way. I do not know whether my hon. Friend had an opportunity to raise the matter with my colleagues in the Department for Business, Enterprise and Regulatory Reform, but she may want to speak further about it during the debate on the Adjournment of the House later this afternoon.

Mr. Paul Burstow (Sutton and Cheam) (LD): At the risk of further provoking the Leader of the House, may I thank her for the statement she made on freedom of information and the decisions that have been made in that case? We look forward to further information on how things will be implemented in the autumn.

The House last debated Zimbabwe in Government time in July 2007, and the last oral statement given on the subject was on 2 April. We now have a date for the second round of presidential elections in Zimbabwe, and given that since the first round of elections, 40 Movement for Democratic Change activists and supporters have been murdered in that country, is it not time that we had a debate in Government time so that the House, on behalf of the whole country, can send the message to Robert Mugabe that murder and intimidation are not tactics to be used in a democracy and that they cannot be accepted? The eyes of the world will be upon him and his party when it comes to the next round of elections.

Secondly, may we have an opportunity in Government time—perhaps through a statement from the Secretary of State for Health—to explore why the Government's attempts to bear down on hospital-acquired infections have stalled? Indeed, surveys now show that the majority of hospitals are failing to isolate patients found with MRSA and clostridium difficile.

May we have a debate in the light of today's news that criminals appear to be walking free as a result of the Crown Prosecution Service dropping cases, not because it had no evidence but because it had lost evidence and frequently failed to record it? Another aspect of data management is that millions of NHS patients are seen each year without doctors having access to full medical records. May we have a debate on the Government's handling of personal data to ensure that lessons are being learned? In that debate, perhaps we can also explore why the incompetent data practices that have become inherent under the Government now also appear to be infecting the Conservative party, which sent an e-mail only yesterday containing 8,000 personal records with financial status data to a local radio station in the north.

May I draw attention to early-day motion 1547 on personality disorder treatment at the Henderson hospital?

[That this House welcomes the decision to hold the largest ever statutory consultation about the organisation and provision of tier 4 mental health services for people with personality disorders; is concerned that the Henderson Hospital personality service has been temporarily closed ahead of the consultation; notes that the Henderson democratic residential therapeutic community model is an effective treatment of complex personality disorder which reduces acute readmissions and interventions by the criminal justice system; is concerned that flaws in NHS commissioning arrangements have put this specialist mental health service at risk of permanent closure; and calls on the Department of Heath and NHS London to take the steps necessary to safeguard the Henderson model and strengthen arrangements for commissioning specialist residential tier 4 mental health services for severe personality disorder in the future.]

May we have a debate on that?

Finally, I would like to ask about the business statement. Why do we get only eight days of business at this point? Surely the Government should know what they are doing at least two weeks ahead. Surely the Whitsun recess should not be a reason for not giving more information on business, or are events so far out of the Government's control that they do not even know two weeks of their business?

Ms Harman: The hon. Gentleman asked when the House will have the opportunity to debate Zimbabwe. I know that hon. Members have raised that matter on several occasions and I have been in contact with Foreign Office Ministers about it. I think that the House will want a debate soon, especially with the elections happening next month. I will report back shortly.

On MRSA, the Government continue to press forward with tackling hospital-acquired infection. The hon. Gentleman will be able to raise the matter with the Secretary of State for Health or perhaps in the pre-recess Adjournment debate, which immediately follows the business statement.

The hon. Gentleman mentioned the Crown Prosecution Service and criminals walking free. He will know that there has been an increase in the number of offenders brought to justice in recent years. The CPS has responded to Her Majesty's Crown Prosecution Service inspectorate's important report. It is important not only that there is good working between the police, the CPS and the courts but that files are effectively case-managed. The CPS has responded to the report by saying that it will act on its recommendations.

The hon. Gentleman mentioned personal data. He will know that a communications data Bill was announced in our consultation on the Government's draft legislative programme. It is important that we have the opportunity to ensure that both counter-terrorist and criminal investigation can take place through data sharing and that there is proper protection and privacy for data. I therefore think that everybody will be dismayed that the Conservative party has sent to the public the names, addresses, phone numbers, financial status and voting intentions of 8,000 people in Crewe and Nantwich. I hope that it will ensure that that information is destroyed.

Mr. David Winnick (Walsall, North) (Lab): I fully endorse my right hon. and learned Friend's comments about security considerations for Members of Parliament. We must be in a position to speak our mind in the House without threats. Otherwise, does she share my view that the High Court decision on our allowances was right and justified, and that whatever money we claim should be known to the public? Would not it also be useful if more were done to explain why we claim the money and that it is essential to carry out our duties? There is no need for apology, because that money makes it possible for Members of Parliament to do their work here and in their constituencies.

Ms Harman: My hon. Friend makes a very important point, with which I am sure the whole House will agree. It is important for the public that the House of Commons works effectively, and it is important that Members of Parliament work in their constituencies and in Westminster, so they need a home in their constituency and in Westminster and they need to travel between the two. They also need properly staffed offices to deal with the many requests for help and support that we receive from our constituents and to engage with them on public policy. We need to justify the allowances that are available, in the public interest, to Members, and we must ensure that there is public confidence in that. We must therefore do as he suggests and make that explanation clearer.

Of course, in respect of the High Court decision, there is no question. This House makes and passes the law, but the courts interpret the law and we obey it as it is laid down by them. It is in the public interest that the public have the information that they need and have confidence in the allowance, and that hon. Members have the ability to speak freely in the House.

Mr. John Baron (Billericay) (Con) *rose—*

Hon. Members: Apprentice!

Mr. Baron: Given that the Government support the closure of 2,500 post offices and the huge public interest in the fact that the Secretary of State for Business,

[Mr. Baron]

Enterprise and Regulatory Reform is opposing the closure of a post office in his own constituency, will the Leader of the House encourage him to make a statement to the House explaining why he seems to be going against the policy of his own Government?

Ms Harman: There will be opportunities for hon. Members to raise questions about the Post Office in several forthcoming Westminster Hall debates. They may also seek Adjournment debates on the issue and table questions to Ministers from the Department for Business, Enterprise and Regulatory Reform.

Mr. David Drew (Stroud) (Lab/Co-op): Will my right hon. and learned Friend commend the Prime Minister's personal intervention in the negotiations taking place in Dublin on cluster munitions? Many hon. Members have long argued that such munitions have no part to play in the protection of our forces, because they do much more damage to civilian populations. If the British Government are saying that they wish to have a full ban on those munitions, let me congratulate them heartily and say what a wonderful campaign there has been.

Ms Harman: My hon. Friend will know that this country has led the way in negotiations to end the use of land mines. International negotiations about cluster bombs are under way in Dublin, and my right hon. Friend the Secretary of State for Defence will report on any issues that arise from those negotiations.

Dr. Julian Lewis (New Forest, East) (Con): May I thank the Leader of the House for her statement robustly defending the right of Members of Parliament to enjoy the same degree of privacy and security that any other citizen is entitled to enjoy if he wishes to keep his private address private? May I thank her also for drawing attention to my early-day motion 1620, which has so far been signed by 88 hon. and right hon. Members?

[That this House believes that the home address of any hon. or Rt. hon. Member should not be published if he or she objects to publication on grounds of privacy or personal security.]

May I express my bafflement that the judges and the Information Commissioner do not appear to have appreciated the security considerations in this matter? May I also draw attention to early-day motions 1623 and 1628, which were tabled by a Liberal Democrat and a Labour Member respectively, asking for the release of similar information about the home addresses of judges and senior civil servants?

[That this House notes the reasons given by the High Court as to why the addresses of hon. and right hon. Members can be published; and considers in the same spirit of openness and public accountability that the home addresses of High Court judges, who are adult, law-abiding citizens and holders of public office in the public eye, should also be published along with a detailed break-down of the expenses which they charge to the public purse.]

[That this House notes the High Court's reasons for why the addresses of hon. and right hon. Members can be published; and in the same spirit of openness and public accountability, the home addresses of High Court judges, chief police officers, fire chiefs, chief executives of local authorities, chairs of public bodies and senior Crown civil servants should also be published alongside detailed breakdowns of the expenses which each charge to the public purse.]

I have already made freedom of information requests for that information to be released. What arrangements will be in place for individual MPs to register their specific objections before the release of their addresses? Have any of the 14 MPs concerned been given the opportunity to object to their individual addresses being disclosed in that irresponsible way?

Ms Harman: We are in a different position to other people. We have to be subject to the appropriate level of scrutiny because the money being spent on housing, communication, office staff and travel is public money, and the public must have confidence that it is being spent properly. I know that the hon. Gentleman agrees with the points that I have made—indeed, he has made them himself on many occasions—that, above all, it is important that hon. Members are able to speak freely in this House according to their conscience and concerns.

The hon. Gentleman asked about the 14 Members. It is the practice of the House authorities to consult individual Members regarding the handling of freedom of information requests, and that will be the case following the High Court decision. Those Members will be consulted in respect of their individual security situations. However, we will be looking to have a general position on addresses that satisfies the public that there is proper scrutiny of the money being spent on London homes. We need to consider this matter further, so I shall not say any more at this stage, but I know that it is of concern. I invite hon. Members to speak to me and the Deputy Leader of the House about this; we need as much information about and discussion on the issue as possible, and then we need to move forward appropriately.

Jon Trickett (Hemsworth) (Lab): Considering the depth of damage done to coalfield communities under the Conservative Administration, the Labour Government have made major moves forward in regeneration. Will my right hon. and learned Friend arrange for a debate to discuss the regeneration of former coalfield areas, so that we can celebrate the work of the Coalfield Regeneration Trust and English Partnerships? I should like to press for further regeneration in the Featherstone town area, which is one of those areas that have not yet been fully regenerated.

Ms Harman: I will consider that as a suggestion for a topical debate, but I draw my hon. Friend's attention to the fact that the Modernisation Committee will shortly make proposals for regional Select Committees. Regional policies can make a big difference to the development of former coalfield communities through regional development agencies and other agencies, but they need to be held accountable to hon. Members such as my hon. Friend.

Dr. Evan Harris (Oxford, West and Abingdon) (LD): Does the Leader of the House agree that the House of Commons was at its best on Monday and Tuesday, in terms of debate, when it debated controversial issues in the Human Fertilisation and Embryology Bill? Will she accept my thanks for guaranteeing that there was a free vote on both sides of the House? That was a good thing, despite some people, who lost the vote, showing sour grapes by claiming, without any evidence, that it was not a free vote. Will she guarantee that there will also be a free vote on those issues on Report, if they come up again, and adequate time for the House to debate them fully?

Ms Harman: I reaffirm what the hon. Gentleman says. There was a full debate over two days, and on our side there was absolutely and emphatically a free vote on those four issues—and it is right that there was. The Bill will be dealt with in the usual way on Report, and if there are any conscience issues, they will, of course, be subject to a free vote at that stage. I agree that the House was at its best on Monday and Tuesday. Usually, when people say that the House was at its best, I think that it was at its worst, but on this occasion I agree. I congratulate the hon. Gentleman on the part that he played in the debate.

Mr. Kevan Jones (North Durham) (Lab): Further to the question that the hon. Member for New Forest, East (Dr. Lewis) asked, may I ask for a debate on security issues in relation to MPs? I and other members of the Administration Committee were dismayed this week to hear that no advice on security was taken before the appeal. As part of that debate, may we debate the advice that the Members Estimate Committee gets on such matters, as well as mechanisms to ensure that the head of finance and administration is under proper parliamentary scrutiny and control, rather than taking decisions that, as we heard the other day, are his alone?

Ms Harman: My hon. Friend is right to say that the information tribunal did not have specific information about security when it was dealing with the requests for the private London addresses of the 14 current and former Members of Parliament. The tribunal said that it regretted the paucity of information, and that is something that needs to be reflected on. I will take steps in the coming days and weeks to ensure that I get the views, experience, background and circumstances of all hon. Members, so that when a decision comes to be made in the future it can be made on the basis of properly gathered evidence. I think that that is the way we need to go forward.

Mr. Andrew Robathan (Blaby) (Con): I am another apprentice.

I had understood that the Government's so-called, much-vaunted modernisation programme would lead to our having two weeks' business announced to the House in advance. For some reason, 10 and 11 June have been left out of today's announcement, and it is rumoured that that is connected with the Counter-Terrorism Bill. Why cannot the Leader of the House announce that now, if she already knows what is happening? Are the Government dithering as usual, while awaiting the outcome of the vote in Crewe?

Ms Harman: I apologise; I did not answer the point about announcing business in advance. We have sought to announce more business to the House in advance in order to enable hon. Members to plan. We are about to have a week's recess, which is why we have announced two weeks' business today. One of those weeks is the recess and the second is the week beginning 2 June, so really the hon. Gentleman is talking about the third week. We need to strike a balance between ensuring that hon. Members have sufficient notice and having the flexibility to deal with any issues that might arise.

Fiona Mactaggart (Slough) (Lab): Does the Leader of the House, like me, feel a sense of frustration that so many months after the publication of Baroness Corston's excellent report on vulnerable women in the criminal justice system, there has been no Government-led debate on it and no proper debate on it in this Chamber? Will she do something about that matter urgently?

Ms Harman: The Government have been considering their full response to the Corston report and will come forward with proposals very shortly. That might well provide an opportunity for a full debate on the important proposals that Baroness Corston made on ensuring that fewer women go to prison and that those who do are able to be housed nearer their families.

Mr. Christopher Chope (Christchurch) (Con): Following the question asked by my hon. Friend the Member for Blaby (Mr. Robathan), the right hon. and learned Lady said that it was important for hon. Members to be given notice of the business of the House. Is it not the case that Government Ministers have been given notice that they should cancel overseas visits on 10 and 11 June? Why are Ministers being kept in the picture while hon. Members are being kept in the dark by the Government?

Ms Harman: The business of the House will be announced when it is decided and concluded, and it will be announced on a Thursday in the usual way.

Chris Bryant (Rhondda) (Lab): What's the Opposition day debate?

Andrew Mackinlay (Thurrock) (Lab): Order! Order!

Bearing in mind the fact that there is no parliamentary oversight of the security and intelligence services, and that Ministers consistently refuse to answer any questions on these matters, can we have a specific debate on the relationship between the United Kingdom security and intelligence services and the former South African apartheid regime, and, in particular, with the regime's Dr. Mengele, Wouter Basson, and Project Coast? The House needs to be able to examine whether there was ministerial cover for that illicit—and, I believe, illegal—relationship. Wouter Basson was allowed to come in and out of this country and to work here during the years of the apartheid regime. It is time that this matter was exposed.

Ms Harman: We have taken steps to improve the accountability of the security and intelligence services. There will be further steps in that direction in the Constitutional Renewal Bill, which has been published in draft. As I mentioned in response to an earlier question, there will be a possibility for pre-appointment hearings by Select Committees, which are an important measure of accountability. I have heard my hon. Friend's points, and I will bring them to the attention of the relevant Ministers.

Sir George Young (North-West Hampshire) (Con): On Monday and Tuesday of this week, when the House debated the Human Fertilisation and Embryology Bill, the programme motion tabled by the Government was such that voting on one group of amendments did not eat into the debating time for the next group. The Leader of the House will know that that procedure is not normally followed for Government Bills, and that debates on amendments and on Third Reading are often severely truncated because of voting. Will she apply the regime that operated on Monday and Tuesday to future Government Bills in order that the House may properly hold the Government to account?

Ms Harman: That was a Committee stage rather than a Report stage. Of course, whenever a programme motion is tabled, there is an opportunity for Members to debate it and to say whether they think it is appropriate—[HON. MEMBERS: "No there isn't!"] There is always an opportunity to debate a programme motion, and it has to be agreed by the House.

Gwyn Prosser (Dover) (Lab): A series of strikes, blockades and stoppages by French workers in Calais is causing massive disruption to Dover and to Dover's cross-channel ferries today and over the coming bank holiday weekend. The M20 has been closed again in order to stack up vehicles. My colleagues and I have raised these matters with Ministers and with Kent county council over a long period of time, but progress in resolving this serious problem has been very slow. It is a problem not only for Dover but for the road haulage system generally and for UK Ltd. May we have a debate in Government time to discuss the matter further?

Ms Harman: My hon. Friend is a champion of Dover and of its importance not only regionally but nationally. I will raise his points with my ministerial colleagues in the Foreign Office and ask them to consider them with the utmost seriousness and to convey their response to my hon. Friend in writing.

Mr. Angus MacNeil (Na h-Eileanan an Iar) (SNP): The right hon. Lady might be aware of the report in *The Times* last weekend on the work of the City accountants Grant Thornton, and in particular the work of their excellent economist, Maurice Fitzpatrick. The report showed that Scotland would have a surplus of more than £4 billion if it were independent. The UK currently has a deficit of £40 billion. May we have a debate on Scotland's big surplus and the UK's massive deficit?

Ms Harman: That is a point that the hon. Gentleman could raise in oral questions to the Secretary of State for Scotland and to the Chancellor of the Exchequer.

Kelvin Hopkins (Luton, North) (Lab): May I once again raise with my right hon. Friend my serious concern about the complexity of the benefits system? I do not think that any other country in Europe has three Government agencies to deliver benefits. This problem is compounded by a morass of means-testing. I know that the Work and Pensions Select Committee has looked at this issue, but may we have a full debate in which we can discuss, among other things, my suggestion that benefits ought to be brought within one Government agency, namely the Department for Work and Pensions? We should also look at ways to reduce the amount of means-testing.

Ms Harman: My hon. Friend has raised a number of important points. He will know that there will be an opportunity to raise the matter on the Monday when the House returns after the recess at Department for Work and Pensions questions. Perhaps he will seek an opportunity to raise those points then.

Mr. Edward Garnier (Harborough) (Con): May I support the request of the hon. Member for Slough (Fiona Mactaggart) for a debate on the Corston report as soon as possible? May I also draw to the attention of the Leader of the House the parlous state of the consultation process on eco-towns that is going on—or rather, not going on—at the moment? In my own constituency, the Government apparently intend to build a town twice the size of Market Harborough in the middle of rural Harborough, yet we have no idea about any of the details of the proposals from the Department for Communities and Local Government or from the developers, namely the Co-operative Wholesale Society and English Partnerships. This will not do. If the Government are going to build a town of 40,000 people in an area of rural England without any infrastructure and with less than 1 per cent. unemployment, I believe they ought to condescend to be rather more candid. May we have a debate on this as soon as we get back?

Ms Harman: There will be a debate on eco-towns in Westminster Hall on the Tuesday after the House returns from the recess, so perhaps the hon. and learned Gentleman and other hon. Members will have an opportunity to participate in it.

Mr. Ian Liddell-Grainger (Bridgwater) (Con): I need to return to an issue that I have put to the Leader of the House before. May we have a debate on Somerset county council and the corruption that is going on there? Yesterday, 24 hours ago, the county solicitor, David Corry, met the resources director, Roger Kershaw, and agreed secretly to move 500 pages from a crucial contract. That contract now puts at risk hundreds of jobs and more than half a billion pounds of public money. The deal with IBM was signed last September, but the details have never been seen by a single elected councillor in Somerset. I am afraid that what has happened has been uncovered and there is now an attempt to suppress the truth. These matters are, unfortunately, outside the remit of the district auditor, so I believe that the Serious Fraud Office needs to be brought in as quickly as possible. This is a cover-up and corruption at the highest level. May we please have a debate to discuss this important matter?

Ms Harman: If the hon. Gentleman thinks that there has been criminal activity, he should approach the police and the Serious Fraud Office. It is not appropriate, in my view, to raise this matter with the Leader of the House and to ask me to bring in the police and the Serious Fraud Office. It is not a good idea for hon. Members—although they obviously have to decide for themselves what they say—to use the privilege of the House to make allegations of corruption in respect of individuals who can be identified. That is really quite a serious matter, which the hon. Gentleman should have referred first to the police and the Serious Fraud Office.

Angela Watkinson (Upminster) (Con): The findings of the review on sex and relationship education delivery are due to be published this summer, but I understand that no consultation on them is planned. May we have a debate on the Floor of the House so that hon. Members can express their views on this important matter before any policy changes are made?

Ms Harman: I understand that we had a debate on sex education a number of weeks ago, but I think that the handling of the findings will be announced at the time.

John Bercow (Buckingham) (Con): Given that Tonderai Ndira, a prominent Movement for Democratic Change activist in Zimbabwe, whom I had the privilege to meet in 2004, was found dead on Tuesday in a Harare hospital mortuary only days after being violently abducted by a group of armed thugs, may I reiterate the pertinent request of the hon. Member for Sutton and Cheam (Mr. Burstow) that the House should debate the escalating crisis in Zimbabwe as a matter of urgency? Does the right hon. and learned Lady agree that we are owed that, as the Deputy Leader of the House gave us reason to feel encouraged on that point during business questions on 24 April? We need a full day's debate in Government time on the Floor of the House in order to determine how on a multilateral basis we can bring the mass murderer Mugabe to book sooner rather than later.

Ms Harman: The hon. Gentleman makes his point forcefully. I would not seek to add to it other than to say that we take his points and that we will return to them shortly.

Mr. Nigel Evans (Ribble Valley) (Con): May we have a debate about services in our communities? Members have asked for debates on post offices, rural bus services and even village schools, but BT has announced that it is going to remove 5,500 public phone boxes and is in consultation over removing another 8,700. I thought it was bad enough when the traditional red telephone boxes were replaced with ghastly shower cubicles, but to take them away completely is the wrong decision. I understand that it is a private company, but it has a public responsibility. Not everybody has mobile phones, so in an emergency a public phone box could provide the lifeline that people need. Will the Leader of the House use her best offices to ensure that BT understands its responsibilities to the community?

Ms Harman: That is a matter for Ministers in the Department for Business, Enterprise and Regulatory Reform and for the regulators. I will bring the hon. Gentleman's points to their attention.

Mr. Peter Bone (Wellingborough) (Con): Yesterday, the "Yes Minister" Bill received its Second Reading, having been debated for two hours and 44 minutes, leaving more than three and a half hours of unused debating time. On the previous day, as the Leader of the House has said, the House was at its best when it considered amendments on abortion in respect of the Human Fertilisation and Embryology Bill, but that debate lasted for only three hours, with many Members unable to contribute. Was that incompatibility of debating time a deliberate ploy by the Government to curtail debate or was it just another Government cock-up?

Ms Harman: We attempted to discuss through the usual channels and with Back Benchers the amount of time necessary for the exceptional debate in Committee on the Floor of the House. There are always going to be demands for more time for debate, but I think we had enough time to air all the issues and for Members to vote accordingly.

Miss Anne McIntosh (Vale of York) (Con): May I say how delighted I am to have secured the debate on eco-towns on the Tuesday after the recess? Will the Leader of the House request that the Minister for Housing—I am not asking for the Secretary of State—responds to the debate? Notwithstanding their letters and appeals to the consultation process for information, a number of colleagues are still particularly interested to find out whether the city region will include York so that the site of Skelton in the Vale of York will be included. That is why I want the appropriate Minister to respond to the debate.

Ms Harman: I congratulate the hon. Lady on her success in securing the debate, which I know concerns a number of hon. Members. I will raise her point with the Minister for Housing.

Mr. Geoffrey Clifton-Brown (Cotswold) (Con): Notwithstanding what the Leader of the House said earlier, I ask her seriously to consider finding Government time for a further debate on post offices. My constituents were outraged that 12 of their 42 post offices were consulted on and all were closed. They will be watching very carefully to see whether post offices in the constituency of the Secretary of State for Business, Enterprise and Regulatory Reform remain open. It would be completely unacceptable to my constituents if Post Office Ltd were to embark on a further round of closures in the near future. That would be totally out of order; we need a further debate to put that point of view across.

Ms Harman: I know that hon. Members feel strongly about this issue. There was an opportunity earlier this morning, perhaps in topical questions, to raise such questions with Ministers in the Department for Business, Enterprise and Regulatory Reform. I do not know whether the hon. Gentleman sought to catch the Speaker's eye—*[Interruption.]* I understand that he did; no doubt he got a full answer.

Mark Pritchard (The Wrekin) (Con): May we have an early debate on Belarus? Does the Leader of the House agree that President Lukashenko needs to engage with Europe rather than confront it? Indeed, Europe wants to engage with him, but he first needs to allow freedom of speech and freedom of religion and to release the political prisoners currently suffering in Belarus prisons.

Ms Harman: I know that the hon. Gentleman is raising a point about Belarus, but I would like to pay tribute to his and other Members' work on the all-party Russia group. I will make sure that his points are brought to the attention of appropriate Ministers in the Foreign Office.

Mr. Philip Hollobone (Kettering) (Con): Following the excellent point made by the hon. Member for Dover (Gwyn Prosser), may we have a debate in Government time about the inability of the French authorities to protect the interests of members of the British public

[Mr. Philip Hollobone]

caught up on the other side of the channel in French industrial disputes? My constituent, Mr. John Shephard from Boughton near Northampton, who sailed across to France on Monday, and 24 other British vessels have been trapped in Cherbourg harbour because French fishing boats are blockading it with ropes and steel cables and firing flares at any vessels that try to escape. The French police are doing absolutely nothing to protect the interests of British citizens caught up in the dispute. May we have a debate in Government time, and will the Leader of the House urge the Foreign and Commonwealth Office to get involved at an early stage?

Ms Harman: I will bring those points to the attention of colleagues in the Foreign Office. I know that they are already involved, but I will explain the constituency issues that my hon. Friend the Member for Dover (Gwyn Prosser) as well as the hon. Gentleman have raised.

ROYAL ASSENT

Mr. Speaker: I have to notify the House, in accordance with the Royal Assent Act 1967, that Her Majesty has signified her Royal Assent to the following Acts and a Measure:

Channel Tunnel Rail Link (Supplementary Provisions) Act 2008

Transport for London Act 2008

Church of England Marriage Measure 2008

Point of Order

12.19 pm

Mr. Andrew Robathan (Blaby) (Con): On a point of order, Mr. Speaker. Yesterday, at column 356, the hon. Member for Dundee, West (Mr. McGovern), who is in the Chamber, intervened on his own Minister as a Parliamentary Private Secretary for the Department for Business, Enterprise and Regulatory Reform. Madam Deputy Speaker pulled him up on that and said:

> "it is not custom and practice for a Parliamentary Private Secretary to intervene on his Minister."—[*Official Report*, 21 May 2008; Vol. 476, c. 366.]

In fact, it is more than that. Paragraph 3.9 of the ministerial code says that PPSs should not

> "put Questions on matters affecting the department with which they are connected."

I wish the hon. Gentleman no ill; I suspect it was a matter of ignorance rather than anything else. However, I wonder, Mr. Speaker, whether you could ensure that the ministerial code issued by the current Prime Minister, not the last one, is enforced and that the Government take it seriously—they say they do—and inform Ministers, including PPSs, of their responsibilities under it.

Mr. Speaker: This is a convention, and the ministerial code is not a matter for me to interpret. I say to the hon. Member for Blaby (Mr. Robathan) that the hon. Member for Dundee, West (Mr. McGovern) was embarrassed, and I do not think that we wish to embarrass him further. He had absolutely no desire to break any convention of the House. After all, we all learn. We learn by listening—[HON. MEMBERS: "They don't."] I assure the Leader of the House that the hon. Member for Blaby learns; I help him along from time to time.

I have mentioned apprenticeships. My foreman used to say, "The man who has never made a mistake has done nothing." We make mistakes.

Whitsun Adjournment

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Alan Campbell.]*

12.21 pm

Mr. Kevan Jones (North Durham) (Lab): I am pleased to contribute to the debate. It is an opportunity for Back Benchers to raise issues of concern to their constituents. I shall touch on something that I have spoken about in Adjournment debates, including in Westminster Hall, before, and it is the continuing scandal of the compensation for miners whose health was ruined by exposure to coal dust.

The Government can be quite proud of the compensation scheme, which has paid out nearly £5 billion. Many disabled miners and their families in my constituency have benefited from it. In saying that, however, the shameful side of the scheme is the way in which it has been seen as a pot to plunder by not only greedy solicitors, but also, tragically, greedy former trade unions, or organisations purporting to be trade unions.

The reason why I raise the relationship between Durham National Union of Mineworkers and Thompsons Solicitors again is that what has happened since the last time I mentioned it in the House is a scandal. It was bad enough that a former trade union charged its former members and even their widows 7.5 per cent. of their compensation and asked them to pay a £20 fee to join as "associate members" of the trade union, but now the organisation has de-listed itself as a trade union and set itself up as a claims handling company, which is what we all thought it was.

Let me set out the history of the scam, which is what it is. I am glad to say that many former members and their families who have been duped by Durham NUM and Thompsons Solicitors have had their compensation returned after complaints by myself and others. I strongly urge anyone who is still out there who has had money deducted by Durham NUM or Thompsons Solicitors to make a complaint as soon as possible to ensure that they get that money back.

Chris Bryant (Rhondda) (Lab): Or by the National Association of Colliery Overmen, Deputies and Shotfirers in south Wales.

Mr. Jones: I have no detailed knowledge of NACODS, but I know that it is involved in a similar scam.

The situation publicly is that Durham NUM is like the Durham NUM of 20, 30 or 40 years ago—a proud, working-class organisation. But it certainly is not today. I first raised the issue in a Westminster Hall debate on 23 May 2007 and exposed what was going on. Two individuals, Mr. David Hopper and Mr. Guy, who are president and general secretary respectively of Durham NUM, were getting huge sums from the compensation scheme. The sole source of income of Durham NUM was the 7.5 per cent. that was deducted from people's compensation by Thompsons Solicitors and passed on to it. I am still asking questions about what they did for that money, but I have never got a satisfactory answer. It is clear, however, that the solicitors confused their role and were acting in the best interests not of their clients, but of Durham NUM. That is why the Law Society has been clear in saying that the money needs to be paid back. The two individuals whom I just mentioned are each drawing salaries, benefits and bonus packages of nearly £70,000, and for doing what? Many people would be shocked by that.

If that process was not bad enough, what has happened in the past 12 months is scandalous and is slowly coming out in the public domain. Durham NUM has de-listed itself as a trade union so that it no longer has to submit accounts, which it had to do in the past, to the certification officer, and has set itself up as something called "an unincorporated association". It is important to get on the record how the situation has arisen.

As I said in my previous speech in an Adjournment debate, the organisation has assets of nearly £5.5 million. For some strange reason, £680,000 of that is in an offshore bank account, and I have never been given a plausible explanation of why that is so. I accept that the £5.5 million-plus that it has may well have been reduced because it has had to pay money back to people, but the union also has assets in terms of Red Hill and other property assets that it owns.

If there are to be major changes in a trade union, we would expect the members to have a say in what happens to those assets, but if I told you, Mr. Speaker, that the decision to de-list the organisation as a trade union was taken by 10 people, including Mr. Hopper and Mr. Guy and, I think, their wives, you would appreciate that there are a lot of angry people out there. Those people have been members of the trade union for years but have not had a say in what happens to the assets. One of the individuals I mentioned chaired the meeting; the other took part in it. They not only have a connection with the change, but have a direct financial interest in what happens to Durham NUM.

I have secured the minutes of the meeting, which was convened on 19 March 2007. I was pilloried locally when I stood up and said that Durham NUM was no longer a trade union, but a claims handling company. Lo and behold, that is exactly what Durham NUM set itself up as on 19 March 2007. The minutes need a larger hearing. Lo and behold, who is the solicitor who gave advice to the meeting? It is Mr. I. Walker from—you guessed it, Mr. Speaker—Thompsons Solicitors.

The minutes say that the meeting was opened and that the president of Durham NUM explained:

> "He and the general secretary had been advised that it no longer met the statutory definition of a trade union as set out in the Trade Union and Labour Relations (Consolidation) Act 1992 because its principal purposes no longer include the regulation of relations between workers and employers or employers organisations."

I met the certification officer a few weeks ago and have to say that Durham NUM has not met that criteria for perhaps 20 years. It has never negotiated. What has suddenly changed now apart from myself and other hon. Members raising the issue?

The minutes continue:

> "Members would recognise that it could no longer do so following the closure of the last pits in the Durham Area"

—that did not happen recently; it happened 20 years ago—

[Mr. Kevan Jones]

> "given that membership was restricted to workers in the mining industry and ... ancillary undertakings in the Durham coalfield."

It was explained that

> "the Area's status had been called into question following"

—this is the funny bit—

> "the introduction of the Compensation Act 2006."

Given Durham NUM's vehement denial that it was a claims handling company, why should the Compensation Act affect it ? Clearly the Act did affect it, because for the last God knows how many years it has in fact been a claims handling company. It obviously recognised that it would be caught by the new legislation.

The minutes state:

> "Mr Walker explained the new draft rules. The first purpose of the amendments is to bring the objects of the Area into line with reality by taking out the references to collective bargaining."

I do not think that Durham NUM had done any collective bargaining for 15 or 20 years.

> "All references to the National Union are also removed to reflect the reality that the National Union no longer recognised the Area as a constituent association... The remaining objects had been tidied up but were essentially unchanged. The result would be that the Area remained in existence, as an unincorporated association, but not a trade union.
>
> Secondly, the structures of the Area had been brought into line with the reality that there were no longer any lodges."

Since I have been a Member of Parliament I have always found Durham NUM's language strange, with its suggestion that Durham still contains the mass structure of pits that has not existed there for years. Obviously, if Durham NUM has now emerged from the parallel universe that it has been inhabiting, that is a welcome development.

> "Mr Walker then took the members through each of the rules.. He noted that if the new rules were adopted, the name of the Area would revert to 'the Durham Miners Association'."

That was clearly intended to give the impression that the organisation was comparable with an association that had been established 100-odd years ago in the days of working miners. Durham NUM has nothing to do with that proud history now; it is a claims handling company. It would have been far more honest to call it "the Durham Miners Association Claims Handling Company".

What concerns me, and has concerned a number of former members of the union, is who was involved in the decision. Apparently, only full members could participate. I have obtained a copy of the rule book through the certification officer, which confirms that that is the case. I understand that at least two of the people who attended the meeting were women. I am not sure whether women ever qualified for full membership of the NUM; I know that they did in some areas but not in others. Interestingly, one of those attending was a Mrs. C. Guy, no doubt a relation of Mr. S. Guy. A motion was moved by George Simpson and seconded by Alan Johnson, and it was resolved unanimously that the new rules should be adopted.

A number of people who have been associated with Durham NUM for many years have asked me why they did not have a say in what happened to their trade union. I have examined the rule book closely, and it all seems to revolve around the definition of "full member". It is interesting that the individuals whom I mentioned were the only full members. When I asked people who have complained to me whether they were invited to the meeting and whether any consultation took place, they replied in the negative.

If there is one core thing about a trade union, it is that it ought to represent the interests of its members. That clearly did not happen in this case. A small group of individuals—some of whom had a direct vested interest in keeping this going because they were getting a blooming good living out of it—were making decisions on the assets and moneys accrued over many years by hard-working former members of the union, many of whom are rightly very unhappy.

As if that were not bad enough, what happened next was mind-boggling. It involved retired union members who had been members for many years, including a number of my constituents and those of my hon. Friend the Member for Houghton and Washington, East (Mr. Kemp)—for example, Mr. F. Smith of Newfield in Pelton and Mr. Ron Wilson of Pelaw. One of them had been a member of the NUM for 50-odd years, since he joined as an apprentice. When he went to pay his annual retired member's fee of, I think, £20, he was told that he could not be a member of the new organisation. The reason was that he had asked for his money back—his 7.5 per cent. Anyone who had the audacity to ask for their 7.5 per cent., which should not have been taken by Durham NUM in the first place, was barred from membership of the new organisation.

Quite rightly, those two individuals and many other former union members across the county of Durham—not just in my constituency—are extremely annoyed. They include Joseph Orrell, who made the front page of the *Sunderland Echo* under the headline "Sick miners axed by union". The newspaper used the word "outrage", and it is an outrage. What annoys me is that people who set up what is basically a claims handling company are wrapping themselves up in proud traditions and left-wing rhetoric, purporting to be socialists and to be representing the poorest and most disadvantaged members of the community, which they are clearly not doing. They are not representative of those people. They did not ask them whether they wanted the new association to be set up. They have established a small club consisting of those with direct vested interests.

Looking at the rule book, I discovered a technicality whereby retired members should at least have been consulted, which they clearly were not. Another murky aspect of the affair appears in the minutes of the special meeting, and it is something that I have suspected for a long time. The scheme does not have a proud history, given that former trade union officials have been doing deals with claims handling companies. One of those present at the meeting was a Mr.—I presume—A. Mardghum. I think that that is one Alan Mardghum, who used to be the lodge secretary of the Wearmouth branch and is now clearly involved with Durham NUM. He was also involved with an outfit called FreeClaim IDC in Ashington, which was one of the most disgraceful organisations handling claims. In one case, about which I complained to the Law Society, the company took some £3,600 from the compensation awarded to a Mr. Jobe. The relationship between people who seem to flit between different claims handlers while giving the impression that they are representing the interests of the poor and downtrodden is something of a scandal.

Some might ask "Why does this matter?" I think it matters chiefly because the money that has been taken away from retired miners and their widows should not have been taken away, but also because a number of very angry miners who have paid in for many years, such as Mr. Orrell, Mr. Smith and Mr. Wilson, feel that they have had no say in what happens to the assets. Those assets are not inconsiderable. The amount held in the disbursement fund is £1.18 million, and the total value of the investments is £3.7 million. The value of the unquoted investments is £863,000, including—this is in the accounts, in brackets—£687.62 in an offshore bank account, or offshore investments. The total cash assets, according to the last return, amount to £5,563,000, which is not an insubstantial sum. There are also the fixed assets, which are not quoted, in the form of the Red Hill property and other property owned by the organisation.

What should have happened to the money? If the organisation was no longer a trade union, it should have followed the example of other unions that have been wound up. The money should have been given to, for instance, the Coal Industry Social Welfare Organisation, which would at least have reinvested some of the money back into mining communities, and not put it into the pockets of a few individuals—who, since the mines have closed, have had a very good living out of compensation claims for many years. There needs to be an investigation into Durham NUM. I am due to meet the regulator for claims handlers in a few weeks—unfortunately I could not meet him last week—and I shall ask whether some of the issues I have raised can be examined.

There are also broader issues to do with how the assets of such organisations are dealt with. I have spoken with the certification officer. To be fair to him, he was very helpful—and privately appalled by what happened, I think. However, he is limited by legislation in what he can do. However, by that one move, Durham NUM has made accounts that were in the public domain every year—even though it was necessary to go round the houses to find them because those involved were quite clever in hiding the salaries and moneys in the accounts—no longer public. Therefore, basically what has happened is that £5 million and the assets of a former trade union have been squirreled away into an organisation that no longer has to produce any public accounts. Many former miners and their families are rightly very angry about that.

There should be an urgent investigation into the organisation. Although some people are getting their money back—I put on record again that I welcome that, and I urge anyone who has had money taken to contact the legal complaints service because moneys are being given back—this issue will not go away. I understand that I am being pilloried in certain quarters as the villain of the piece. I am sorry, but if what I am doing is exposing people to proper scrutiny, that is my role as a Member of Parliament. I will take no criticism from people who have direct vested interests and have done very well at the expense—this is what really sticks in my throat—of some very poor individuals.

May I touch on a few other constituency issues? I was proud on 15 May when Stanley town council held its inaugural meeting. I have been campaigning for that council, along with local people, for a few years. The turnout in the local election showed that people in Stanley are interested in having a voice, and I look forward to working very closely with the town council—not only Labour members, but independents and others—to improve the town of Stanley.

Turning to health care in my constituency, on Saturday this week I will have the honour of attending the opening of the new Sacriston health centre. It is a former mining village, which suffered badly throughout the 1980s and early '90s, and a brand new health centre has been built for it, which will be opened by Sir Bobby Robson. I ask people to come and look at the health centre, as it is a carbon-neutral building and a fantastic example of what can be done in a public building both to provide top quality local health services and to protect the environment.

My hon. Friend the Member for City of Durham (Dr. Blackman-Woods) and I have been involved in the campaign to have the Lindisfarne gospels returned to the north-east. That campaign has been well supported by many north-east politicians of all parties, including my hon. Friend the Member for Tynemouth (Mr. Campbell), who cannot speak because of the Whip's purdah. The campaign is creating some movement, and I pay tribute to the Secretary of State for Culture, Media and Sport, who is now talking to the British Library not merely about loaning us the gospels, but about there being a permanent home for them in the north-east. I also pay tribute to Durham university and the cathedral, which are now actively looking at building a resource and visitor centre on Palace green in Durham, not only as a possible home for the gospels, but to display the university and cathedral's rich collection of early Christian manuscripts. That would be a great tourist attraction not only for the city of Durham, but for the north-east.

This week's welcome announcement of the aircraft carrier order will be a tremendous boost to the north-east economy not only in terms of direct fabrication jobs, but in terms of the impact on small and medium-sized enterprises in the area. We hear a lot of doom and gloom at present about the economy, but employment levels in the north-east have never been higher. We have some tremendous organisations: Nissan, for example, is taking on 800 new workers and producing cars not only at an efficient rate in terms of this country, but of world-beating class. In the last 10 years the north-east economy has come a very long way. I look forward to working with the new unitary council in Durham—its inaugural meeting is on Friday—to ensure that County Durham is part of the renaissance, both cultural and economic, that is taking place in the north-east.

One of the pioneers of the work to change the perception of the north-east, to attract jobs and to move the north-east forward was Lord Tom Burlison, former deputy general secretary of the GMB and regional secretary of the GMB in the north-east. Sadly, he died earlier this week. Tom was a great advocate for the north-east. If people want to see the good side of trade unionism, they should look at how he worked in partnership with Dr. John Bridge, the CBI and others to form organisations such as the Northern Development Company. That spirit of partnership was there even in the dark days when we were losing heavy industry throughout the north-east. His passing will be mourned by a lot of people in the north-east, and he will be fondly remembered for the contribution he made.

Mr. Nigel Evans (Ribble Valley) (Con): May I also pay tribute to Tom from the Opposition Benches? He was a fellow member of the Council of Europe and the Western European Union. He was a dedicated member of both bodies and he—and his contributions—will be sadly missed.

Mr. Jones: As a friend of Lord Burlison, I think I can say that his family will greatly welcome the hon. Gentleman's comments. Unassuming individual that he was, when he was ennobled in 1997 he then took a key role in organisations such as the Council of Europe. He took that seriously, and not only as an honour; as a working peer, he worked very hard. His passing will be mourned by many people of all political persuasions who knew him from his second career in the other place.

May I conclude by wishing everyone a happy recess and a restful week off before returning to the fray in a fortnight's time?

12.48 pm

Mr. Paul Burstow (Sutton and Cheam) (LD): May I begin by associating myself and my hon. Friends, many of whom will have known Lord Burlison and his work, with the comments of regret on his passing away, and pass on our condolences?

I, too, wish to make a series of constituency points, rather than a Front-Bench speech. This Adjournment debate does not really warrant Front-Bench contributions, because it is about hon. Members putting to the Government the reasons why we should not adjourn for the Whitsun recess as we think there are issues that need to be debated and dealt with. I have three such issues which I wish to put to the Government. The first is the arrangements for commissioning tier 4 mental health services for people with moderate and severe personality disorder. The second is public sector housing finance. The third is the lack of a system for protecting vulnerable adults.

The current system for securing the provision of specialist mental health services in England is not fit for purpose, and I shall give some evidence that supports that view. I have seen this flawed system at work in my constituency, but its impact goes much wider and should be a cause of concern for all hon. Members.

My constituency is home to the Henderson hospital. To most people, it is a little-known, even obscure, small hospital tucked away in Belmont. Among those with any experience of the treatment of personality disorder, however—clinicians or patients—it is a nationally and even internationally renowned tier 4 residential service for the treatment of moderate to severe personality disorder. It offers a practical and challenging route to recovery through personal responsibility and social inclusion. I have met many ex-patients over the past few years, and especially in recent months during the trauma of threatened closure. For those who have received the service, it has been life-saving and transforming. It does not only offer patients a way to manage or contain their mental health problems, but provides treatment for those problems and a way for people to restart their lives. Many of them cannot understand why a service that they prize so highly and that has given them an opportunity to realise their potential could be taken away from the many others who might benefit from it.

The service treats personality disorder, and it facilitates change in people's lives. Unlike many other mental health services, it is not simply about the management of the status quo or the containment of the threats that those with mental health problems can pose to themselves and in a few cases to others. Research on the Henderson has shown that its approach reduces acute admissions and interventions by the criminal justice system. The number of people in prison who have severe mental health problems is a blot on our criminal justice system and shows that provision does not adequately meet those people's needs. The service at the Henderson does offer a way to meet some of those needs.

Despite the evidence that the Henderson therapeutic model works, the service has been earmarked for closure and indeed it has already been closed temporarily—as the euphemism has it—pending the outcome of consultation. The Henderson has a 60-year history. Over that time, it has taken from referrals from practically every part of the United Kingdom from Land's End to John O'Groats. However, in some circles, that history marks it out as old fashioned, out of date and ripe for closure. In truth, the model of care that it offers is a very modern one. It is run on democratic lines, with residents taking personal responsibility for much of the day-to-day running of the service. They make decisions about everything from menus to direct staff involvement in the provision of the service. That is very different from the typical model of mental health services that is still the norm in much of the country.

A few years ago, the Henderson was even asked to replicate the service in two new units, at Webb house in Crewe—events there may be the reason why the Chamber is not especially well populated with Members seeking to contribute today—and at Main house in Birmingham. Webb house has since closed because of funding cuts, and Main house is struggling to keep its doors open.

So why is such a successful service under threat? Until 2005, the Henderson was funded by the Department of Health through the national specialist commissioning advisory group. After 2005, funding passed to a consortium of 128 primary care trusts across London, East Anglia and south-east and central England, so many hon. Members will have constituents who have benefited from the service in the past. It has to be said that this was not a consortium of the willing. Within a year of the change in responsibility for the funding of the service, PCT after PCT took the opportunity to pull the plug on funding.

As a result, the mental health trust that hosts the service, the South West London and St George's Mental Health NHS Trust, has been confronted with a growing funding crisis. The clinical need has not changed and clinicians still want to refer patients to the service, but the PCTs are refusing to fund referrals. So the closure is based not on clinical need, but on financial reasons. The NHS and the Minister responsible accept there is a need for tier 4 provision such as the Henderson. Everyone wills the ends, but no one will identify the means to deliver them. The Government's review of the commissioning of specialist mental health services, the Carter review, found that PCTs are ill equipped for the task of specialist commissioning of such complexity. In a system driven by tick boxes and targets, services such as the Henderson do not fit. So when Ministers say that this is a devolved matter for PCTs and that they cannot intervene, they miss the point. Closure is a direct result of the way in which devolution to PCTs was designed by the Department of Health. It is a consequence of policy, not of individual decisions of PCTs. There are no incentives for the complex regional collaborations necessary to commission specialist services.

I hope that the Department of Health will wake up to that fatal flaw in the system before it is too late. Every day the service is closed, the risk is that the clinical expertise will be lost and, far worse, that the lives of those people who could have been helped will not be changed for the better. I hope that hon. Members on both sides of the House will sign early-day motion 1547 and, if they represent a constituency in the south of England, challenge their own PCT to support the service.

The second issue I want to raise involves housing. In March, I joined a determined group of council tenants from the Sutton Federation of Tenants and Residents Associations and councillors of all parties from the London borough of Sutton to present a petition to the Prime Minister. The petition sought to highlight what my constituents and I regard as a stealth tax on tenants. The tenant tax is known in official Government circles as negative housing subsidy. It means that if the Department for Communities and Local Government determines that a council's rent account will be in surplus, the Government can cream off some of the money. This is money that tenants pay as rent in the belief that it will be used to pay for the management and maintenance of the local council housing stock, and even—dare I say it—of their own homes.

In Sutton and Cheam, this year tenants will pay nearly £10 million in tenant tax or, to put it another way, tenants will be paying their rent to the Government until mid-August. Until then, not a penny piece of their rent will benefit them. The Government say that the system of housing subsidy and negative subsidy is there to support areas that need the money more, but it means that families on modest incomes living in my constituency and in many others bear the brunt of that redistribution.

What is worse is that the current subsidy regime is headed for a national surplus. In 2001-02, the Government made a net contribution of £351 million. That fell to £252 million in 2002-03, and to £191 million in 2003-04. It is widely believed that the system is reaching a tipping point at which the Treasury will pay out less in subsidy than it receives in negative subsidy from local authorities. At that point, any argument that the negative subsidy is anything other than a stealth tax will fall to pieces.

Indeed, reports in *Public Finance* magazine suggest that this year the Treasury could be skimming as much as £194 million off rent payments across the country, and that figure will perhaps rise to £500 million within a decade. Tenants have every right to demand to know what the Government intend to do with that money. They have every right to call it a tenant tax and every justification in calling for it to be scrapped. At a time when the Government are reeling from the consequences of their decision to double the 10p rate of tax, it seems remarkable that they would continue to defend a stealth tax of some of the poorest in our country—that is, many of our council tenants.

In March, the Government formally launched a much-delayed review of the housing revenue accounts subsidy system. I have been talking to the chair of the Sutton Federation of Tenants and Residents Associations, Jean Crossby, about the subject. She is working very hard with tenants in the borough and with tenants organisations around the country to challenge this iniquitous tax. She has pointed out that the Government are failing to engage seriously with tenants as part of the review. For example, I understand that here in London a handful of tenants will be involved in the review process. Surely more must be done to ensure that tenants can have a real say about the future financing of public housing. I hope that the Deputy Leader of the House will be able to give the House some assurances about the extent to which the tenant's voice will truly be heard in this process and, at the very least, will pass on those concerns to the Minister for Housing.

Finally, I want to raise my continuing concern about the arrangements we have in this country for the protection of vulnerable adults and older people. Over the past 10 years, I have drawn to the attention of the Government and the House the mounting evidence of the abusive and inappropriate prescribing of anti-psychotic drugs to older people with dementia in care homes. In doing so, I have often outraged some care home owners, but I think that it is right to raise these concerns because it is right to draw attention to the academic research evidence, which is becoming compelling.

At any one time, about 100,000 older people in care homes are on those drugs, which are not licensed for the treatment of dementia, have adverse side effects, increase the risk of strokes and even bring on premature death. The prolonged use of those drugs on some of the most vulnerable people in our society is nothing less than restraint by chemical straitjacket.

Change is long overdue. The Department of Health, medicine licensing authorities, the care regulator, the General Medical Council and care providers all have a part to play in rooting out bad practice and protecting the vulnerable. Elder abuse is a serious matter in this country. Government-funded research found that 342,000 people over the age of 66 are victims of one form of abuse or another, including fraud, theft, psychological or emotional abuse, and assault, including the use of restraint. High hurdles had to be clambered over in order to register as a victim of abuse in the study, and many people were excluded altogether, such as those in care homes or those with dementia who live in the community. They were not approached or included in any way in the result.

It must be likely that the study's figures are a conservative estimate of the scale of the problem and the challenge that we still have to confront. It is a challenge that the Law Commission asked us to confront in 1995. It said that it had no confidence in the adult protection procedures that existed at that time, but although there have been a number of welcome piecemeal adaptations to the system since then, they are not sufficient to meet the concerns that the Law Commission flagged up so long ago.

The Law Commission proposed that social services departments should be given powers to protect vulnerable adults similar to those that exist for child protection and a duty to investigate; that powers should be granted for magistrates to issue entry warrants, temporary protection orders and removal orders; and that an offence should be created of obstructing officers acting on behalf of the courts. Rather than acting on those recommendations, the Government chose to go down the guidance route.

[Mr. Paul Burstow]

In 2000, they issued guidance called "No Secrets". The evidence is that "No Secrets" has failed to gain the necessary traction and acceptance in local authorities and other agencies, and as a result its implementation has been piecemeal and patchy.

In 2006, Action on Elder Abuse completed a two-year study funded by the Department of Health on adult protection systems. The report stated:

> "Protection of Vulnerable Adults work is currently supported by the No Secrets guidance which has Section 7 status but no ring-fenced finances. This has hampered efforts to develop Protection of Vulnerable Adults policies, procedures and systems consistently and coherently. Many of the inconsistencies in practice and procedure highlighted throughout this report can be attributed directly or indirectly to its perceived lack of status, and the lack of priority in the NHS."

The report went on to recommend that the protection of vulnerable adults be placed on a statutory basis equivalent to that for child protection and domestic violence. The report and its recommendations were produced in March 2006. The fact that the Government funded the research in the first place was welcome, but it took two years for them to come back and announce, as they did in March, that they will have a review of "No Secrets" that will consider the case for legislation. I suppose that that should be welcomed, but it has taken 13 years—and that is not good enough.

When the circumstances surrounding the death of Victoria Climbié emerged, they convulsed the child protection system and galvanised the Government to legislate and to work with others to drive change in the child protection system. Although no system in which humans are involved will ever be perfect, there has been significant improvement in this country's child protection system. It should not take a similar shock to the adult protection system to achieve long overdue reform and action. I hope that legislative time will be found to enact the Law Commission's proposals or similar ones. Thirteen years is far too long to wait.

In conclusion, the future of the Henderson hospital is in limbo as a result of a dysfunctional funding system. Council tenants in my constituency are paying 37p of every pound of rent as a tenant tax to the Treasury. The frail and the vulnerable are protected by a system found to be unfit for purpose more than a decade ago. The message from my constituents to the Government is that it is time for dither and delay to end. It is time that the Government put those things right. Although I enter into the spirit of things by wishing all colleagues a good Whitsun recess, I hope that the Government will take advantage of the fact that they do not have business in the House next week to reflect on the concerns held by me and my constituents.

1.6 pm

Andrew Mackinlay (Thurrock) (Lab): Before I come to the main issues on which I want to detain the House, I want to associate myself with the comments made by my hon. Friend the Member for North Durham (Mr. Jones) about the late Tom Burlison, a Member of the other place, who has passed away. I want to couple that with a reference to the late Lord Billy Blease, who is worthy of mention in this House. He was one of only two people, as far as I can make out, who represented the voice of Labour from Northern Ireland in Parliament—and not just in one House.

For a long time, the late Billy Blease headed up the Irish Congress of Trade Unions in Northern Ireland in the most difficult times and circumstances. He trod the fine line of trying to bring together people of different traditions in the trade union movement and he did that with great dexterity. For a long time, he served my party—the Labour party—in the House of Lords, despite the fact that the Labour party then foolishly had a policy of not allowing anybody from Northern Ireland to join it. He had to use enormous dexterity to get around that. I want to place on the record my appreciation for the political life and work and work for the trade union movement of Lord Billy Blease, who also passed away recently. The House and those people who worked hard for successful reconciliation in Northern Ireland should acknowledge his great contribution, albeit it was a discreet one.

There is never a right time to bring up the matter about which I want to detain the House. I am somewhat nervous about doing so. All too often, Members from all parties acquiesce by their silence in a slow undoing of our human rights and civil liberties in this country. We are not sufficiently zealous in fulfilling our role of probing those areas that the establishment in this country would not like us to dwell on. I am referring particularly—as I did earlier, during business questions—to our security and intelligence services.

I think that it is a thundering disgrace and an abdication of our responsibility in this House that there is no parliamentary oversight at all of the security and intelligence services. That is a severe deficiency and a flaw in our democratic institutions. Most of the great democracies have parliamentary committees charged with probing and overseeing their security and intelligence services, but that system does not exist here.

I have challenged successive Ministers about the matter, including the current Prime Minister. They have dismissed my questions by referring to the Intelligence and Security Committee, which is hand-picked by the Prime Minister of the day from parliamentarians with whom he or she—and, more importantly, the security and intelligence services—feels comfortable.

One Minister told me, "Mackinlay, this is a distinction without a difference," but I disagree. Who clerks the ISC? It is clerked by a spook, a member of the security and intelligence services, and not by the Clerk of the House of Commons. When does it meet? We do not know. We do not know the parameters of its jurisdiction, as the term "security and intelligence services" is a generic one: does it include the special branch of the Metropolitan police and other forces, or does it involve just MI5, MI6 and GCHQ? We do not know.

That is a serious abdication on our part, and it is time that it was remedied—with some expedition, as Whips are already coming to me to talk about this business of the 42 days. I have told them—I shall paint it on their eyelids—that there is no way that I am going to support that proposal. There are many reasons for that, but a particular one is the fact that there is no parliamentary oversight of our security and intelligence services.

Mr. Richard Bacon (South Norfolk) (Con): I enjoy the hon. Gentleman's robust contributions. He is a credit to this House, but will he acknowledge that there is some parliamentary oversight of the security and intelligence services, albeit not enough? Under the National Audit Act 1983, the Chairman of the Public Accounts Committee—who, by convention, is a member of the Opposition—has certain statutory responsibilities for auditing them.

Andrew Mackinlay: I am grateful to hear it. I do not mean to be disrespectful as I think that that is good, but it is barely a fig leaf. I make no apologies for saying that this place is abdicating its responsibilities, at a time when civil liberties are at stake—and, as I intend to go on to share with the House, when the role of this place is being undermined.

Dr. Julian Lewis (New Forest, East) (Con): I am grateful to the hon. Gentleman for giving way. I do not want to interrupt his flow when he gets under way again, so I want to get my point in now. Will he shoot, as it were, a particular fox before it gets up and running? This House is a democratic Chamber, and all sorts of people get elected to it. Among its hundreds and hundreds of Members over many years, there might have been some who were genuinely a subversive danger. Does he accept that there must be some form of screening of the members of any parliamentary committee that has oversight of secret organisations and access to information that properly is held to be secret? Otherwise, the secret organisations will not make secret information available—and they shall be right not to do so.

Andrew Mackinlay: The answer to the hon. Gentleman is yes. I do accept that, but it is not the issue. The issue is that successive Labour and Tory Prime Ministers have said that there shall not be any parliamentary oversight, and I believe that they have done so because they are weak and craven before the security and intelligence services. The point that the hon. Gentleman raises is addressed in the US Congress, which has a very powerful committee to oversee security and intelligence matters. It does not appoint suspect people, but the pride of Congress—and of this place—is that parliamentary institutions should be able to make judgments of that sort.

Mr. Kevan Jones: Will my hon. Friend give way?

Andrew Mackinlay: I had not realised that I was going to rattle so many cages today, but I should like to finish my thought process on this point. The fact is that the US Congress, France's National Assembly, Canada's House of Commons and Australia's House of Representatives all address this subject: it is a matter of pride for them. They find ways to ensure that the members of their respective committees are suitable and appropriate, but they are appointed not by the head of the security and intelligence services—that is, by each country's equivalent of the Prime Minister or the head of the CIA—but by their Parliament or Congress.

Mr. Jones: Does my hon. Friend agree that the idea that Members of Parliament cannot be trusted with what is called "secret information" is sometimes used as an excuse? I have been a member of the Defence Committee for the past seven years, and my experience is that we get access to far more classified information when we go to the US—to an extent that would give civil servants at the Ministry of Defence apoplexy.

Andrew Mackinlay: I was going to save the story that I am about to tell for my memoirs. They will be the mother and father of all memoirs, and will actually be interesting. When the late Robin Cook was Foreign Secretary, he had to instruct a man called C to meet the Foreign Affairs Committee. I did not know that there really was a guy called C; I thought that such things were confined to films, but there really is one. I remember going down to the MI6 building, and the Committee was made as welcome as people with bubonic plague. It was clear that the then incumbent C deeply resented the fact that the Foreign Secretary had instructed him to see the Foreign Affairs Committee. Frankly, the meeting was not very productive, as the House can imagine.

That story demonstrates the point that my hon. Friend the Member for North Durham made in his intervention. It is something with which we should not put up.

Mr. Evans: Will the hon. Gentleman give way?

Andrew Mackinlay: My goodness! I give way to the hon. Gentleman.

Mr. Evans: I am grateful to the hon. Gentleman. I encourage him to bring out his autobiography—everybody else seems to be doing so, and now would be timely. He has intimated that other Parliaments seem to get around the problem without threatening security. Will he be a little more constructive and suggest how we might change the custom by which the Prime Minister makes appointments to the ISC?

Andrew Mackinlay: Okay. First of all, it should be a parliamentary committee. No doubt, there would always be discussions through the usual channels about the method and modus by which people are selected.

Mr. Jones: That means that you would not be on it!

Andrew Mackinlay: I shall come to that in a moment, but appointments to the committee would be a matter for Parliament. I think that people would emerge about whose qualifications all parties were confident. Achieving the sort of committee that I have described really is not rocket science.

Importantly—and this is not merely a shibboleth of mine—the committee's secretariat should be provided by the Clerk of the House of Commons. At present, as the House knows, the Clerk does handle confidential papers. Without going into too much detail, there are occasions when, rightly, items that require some discretion and security have to be held in this building. Therefore, that is not a problem.

The problem is that there is a cosy consensus among the people who run our political parties. I will not sign up to it, but they are craven before the security and intelligence services. No one is allowed to ask any questions at all, and I shall give an illustration of that very serious problem in a moment. I dismiss the idea that it cannot be resolved, and think that we should pursue it.

As I noted earlier, the parameters of what comes under the generic term "security and intelligence services" are not quite clear. I want to emphasise that I have no doubt that some very dedicated and brave men

[Andrew Mackinlay]

and women work in those services, as I do not want anything that I might go on to say to be used against me. I will not accept any suggestion that I do not acknowledge the professionalism, bravery and patriotic dedication of the people who work for our security and intelligence services. However, what I do question is the arrogance of the culture surrounding those services that leads them to believe that they should be exempted from any oversight whatsoever of anything that they do, even when that stuff is almost a matter of history.

Soon after we return from the recess, the question of the 42 days will come before the House, but for me it is a matter of trust. Far too many things lately have caused me to reflect about whether I can trust what are described as the security and intelligence services. I regret that, but in any event it is certainly the mood of the very many people in our society who are asking the same question.

I will give one illustration to buttress my argument. I am one of the Members of Parliament who joined in a court case—Lord Alton of Liverpool and others *v.* the Secretary of State for the Home Department—and my interest in this matter is registered. It went to the Proscribed Organisations Appeals Commission—the POAC is of the status of the High Court—which found against the Home Secretary. In that judgment, it said the Home Secretary's action in relation to what is known as the People's Mujahedeen Organisation of Iran was perverse. A lawyer friend tells me that the use of the term "perverse" by a court is the nearest that it gets to being rude to one of the parties in a case. The Home Secretary is a bad loser. Off she trots to the Court of Appeal. After a long deliberation by the Court of Appeal, including days when the hearing was in camera and special advocates had to be appointed, the judgment, headed not by a "mere" judge but by the Lord Chief Justice, was conformation that the action of the Home Secretary was perverse. He went on to say that all that having sat in secret for two or three days did was to reinforce his view that the Home Secretary's action was perverse.

I want to be generous to the Home Secretary. The Home Secretary's view was framed by—guess—this country's security and intelligence services, which peddle a line, quite confident and arrogant, that nobody is ever going to question their judgment. However, on this occasion they did, and not just Members of Parliament—including Lord Waddington, Baroness Boothroyd, Lord Russell-Johnston, a former Conservative Lord Advocate and many Members of this House—but a court of the level of the High Court and the Lord Chief Justice of England. That is a slight victory, but when there is the damning judgment that the attitude being pursued by Her Majesty's Government was "perverse", that shows the need, in my view, for people to be able to explain their position more fully before the high court of Parliament, and to be accountable for their stewardship.

Mr. Evans: I do not want the hon. Gentleman to move too far away from this point, but has he been given any indication since that ruling was made of when the PMOI will be removed from that proscribed list, as the Lord Chief Justice has asked?

Andrew Mackinlay: No, but I have a parliamentary question down to that effect, and I want to know the parliamentary procedure; I do not want to deny the opportunity of hon. Members in all parts of the House to say what their view is in debates of at least one and a half hours upstairs.

I want to trespass into one other area that might get Members salivating. A lot has been said about the Freedom of Information Act 2000, even this morning, but the other side of the same coin is the Data Protection Act 1998. This needs to be looked at in respect of our own interests. There must not be a casual disclosure by this House of information relating to hon. Members in which there is a third-party interest under the Data Protection Act. There therefore needs not only to be time for Members to look at any disclosures proposed to be made; but the House authorities and hon. Members have also to be conscious of the fact that what is put into the public domain should be nothing with which another person outside this House has a legitimate interest and protection in relation to data protection. I am surprised that this issue has not been raised before, and I would be pleased to develop it with Members outside this Chamber.

I say this because I have been the victim of an unauthorised disclosure, under the Data Protection Act, by a Government Department. I have kept mute about this for some time. What aggravated me is that when I found out about it, the Government Department concerned initially treated the matter with some levity, and since then, the people responsible for breaking the law in respect of me—and for a disclosure that included a defamatory statement about me—have been promoted. There have been discussions about beefing up the penalties in relation to data protection, and they should be. My personal experience indicated to me how casual and flippant people can be regarding the reckless disclosure of data when there is no real penalty. The point is true of both the public and private sectors.

Mr. Evans: I find it a bit perverse that the same man responsible for FOI is responsible for the Data Protection Act. Surely these two very different areas should be separated out, and there should be different people in charge of them.

Andrew Mackinlay: That is a very interesting and valid point but in any event, the existing law places a duty in relation to data protection that is not being addressed by many organisations, both in the public and private sectors. When there is a freedom of information disclosure, the person or organisation making that disclosure needs to be mindful of their other statutory duty and responsibility to people under the Data Protection Act. I have never heard that mentioned during the past weeks and months in relation to the disclosure of Members' expenses and so on, or to the big controversy about a Government Department's recklessly disclosing data. This is a serious point that we need to address not only in our own interests, but those of everybody else.

Dr. Julian Lewis: The hon. Gentleman is making a very valuable contribution. One reason why he has never heard that issue being mentioned inside this House is that it is sub judice. Moreover, we have been unable to get it reported outside this House because the people who are determined to have this reckless policy of disclosing Members' home addresses are equally determined to stifle any public airing of the arguments against the folly that they are driving forward for their own selfish ends.

Andrew Mackinlay: I accept what the hon. Gentleman says, but may I take the opportunity, Mr. Deputy Speaker, to emphasise that I am not raising the Data Protection Act issue in relation to the Members issue? I am using it as an illustration. The fact is that Members in all parts of the House did not raise it when great concern was rightly raised in this House about the disclosure of data by a Government Department. We are too casual about our responsibility as legislators to protect the interests of other people in this regard. Moreover, this is not a matter for us, but if there is disclosure, which there inevitably will be—and, in broad-brush terms, rightly so—of our expenses and interests, there needs to be a reassurance that there is no third-party disclosure. That would be breaking the law.

I raise this issue in the context of the degree of malevolence, in my view, on the part of some parts of our security and intelligence services. There is a great deal of concern about files that are kept, for example, and there is no way of reassuring ourselves about this secret part of our state; that needs to be addressed. People may think that I am exaggerating, but I will go on to buttress my argument. In any event, the maxim comes to mind, "Just because you think I'm paranoid, it doesn't mean to say they're not after me."

Mr. Kevan Jones: Will my hon. Friend give way?

Andrew Mackinlay: Well, I—

Hon. Members: He is after you.

Mr. Jones: All that I was going to say is that my hon. Friend's file is going to get rather larger after this afternoon's debate.

Andrew Mackinlay: I have two serious points that I want to share with the House, the first of which I referred to in questions earlier. In the last decade of the South African apartheid regime period, a man called Wouter Basson was the head of the South African equivalent of Porton Down. He was described by journalists writing about the truth and reconciliation commission, in respect of which he had a big hearing, as the Dr. Mengele of South Africa. It is a matter of fact, not conjecture, that he was involved in chemical and biological research, and that he was responsible for the deaths of many people not just in South Africa but throughout the continent and probably elsewhere around the world. For 10 years, he was given access to the United Kingdom. It is not unreasonable for me or any other hon. Member to ask why, and on what basis.

I tabled a parliamentary question this week asking on what basis Wouter Basson was allowed to come to the United Kingdom, and to have either the ownership or tenancy of a house in Berkshire. The Government's reply was, "We don't discuss individual cases." Of course, I would defend that as a general principle, but it is a matter of fact that that man was involved in serious wrongdoing both in South Africa and internationally. He was an agent of the South African apartheid regime. He was involved in chemical and biological weapons. So he must have been in the United Kingdom with the full knowledge and full consent of our security and intelligence services, and I want to know why.

I also want to know whether there was any ministerial cover for that. If there was not, it is a serious matter, and probably criminality could be involved, because of United Nations sanctions, as well as the United Kingdom law that governed such relationships. If there was ministerial cover, there is even more reason why the House should know. That illustrates how the security and intelligence services will use Ministers to not disclose that which should be disclosed, and I challenge the Government to come clean to the House on the relationship of Woulter Basson and his Project Coast.

I made a Data Protection Act request to the Foreign Office in relation to myself. I asked a lot of questions about Woulter Basson and Project Coast, and to summarise, the Minister's replies were broadly, "There's nothing in this." Yet when I made my Data Protection Act request, it was disclosed that

> "a handling strategy meeting to deal with Andrew Mackinlay's questions"

had taken place and that no fewer than 13 officials attended that meeting to give me the reply that there was nothing in it. Being a diligent Member of Parliament, I inevitably asked the next question, "Who were the officials who attended the handling strategy meeting to deal with Andrew Mackinlay's questions about Woulter Basson and Project Coast?" And they refused to answer, because the spooks were there. That is the truth, and they know that it was true that there was some illicit, probably illegal, involvement by our security and intelligence services with Woulter Basson and the apartheid regime's chemical and biological weapons research. So they do not like that sort of question.

The other thing that I want to share with the House—I have hesitated about this—is that I, as a diligent Member of Parliament, take an interest in many parts of the world, and from time to time, as other Members of Parliament do, I meet an official from the Russian embassy, to ascertain the Russian Government's views. We cannot rely on the British press and media and certainly not on the British Government's objectivity in such matters. In my discussions, I give such state secrets as "I think that Tony Blair will retire probably in 2007" and my firm prediction that there will be no contest for the leadership of the Labour party. That is the extent of it. If those are state secrets, I plead guilty before the House.

What I learn from meeting a diplomat from the Russian embassy approximately three times a year is what Russia's views are on a range of things—for instance, the Helsinki accords in relation to the controversy about Kosovo. I learn its views about nuclear missile defence. I suspect that many other hon. Members do that. If they do not, they should, because at least if we understand the other guy's point of view, we can make a good assessment of how we should probe the Government and what we should be arguing and so on. For example, the British want someone extradited from Moscow, but what has not been told in the House is that Moscow would like some people extradited from London to face courts in Moscow—not a wholly illegitimate claim.

Mr. Evans: In the hon. Gentleman's next discussions with the Russian embassy, will he get some advice on how the Russians police football matches? I find it quite bizarre that there were more arrests in London for a match that took place in Moscow than there were even in Moscow.

Andrew Mackinlay: I do not want to go down that road. Although it is a legitimate point, I am in the middle of making a serious point.

I want to share with the House—this is why I raise it as a matter for Parliament— the fact that I was approached very formally last summer by a Minister who said, "I've been approached by you know who, who tells me that you're meeting a person from the Russian embassy." I was and I remain highly indignant and angry, both in my regard and for Parliament. I found the approach menacing, and bearing in mind that I meet the people from the Russian embassy in this building, it means that the security and intelligence services are monitoring not only the people who come into this building, but the hon. Members whom they meet and presumably what is discussed.

I ask the House a question: is that not an affront to Parliament? Is it not serious that there should be scrutiny of hon. Members talking to people from around the world? My view is that it is important—people have fought battles over this—that any Member of Parliament should be able to talk to whomever he likes, particularly in this building. If oversight of that starts to happen, it diminishes Parliament and is very dangerous politically.

Mr. Kevan Jones: I hate to accuse my hon. Friend of being a bit naive, but does he not live in some sort of utopia and does he not think that those other people might be interested not in what he is up to, but rather in the Russian gentleman whom he meets? Does he not think that the Moscow security services follow British diplomats and other EU diplomats around different parts of the former Soviet Union?

Andrew Mackinlay: I am not naive about the security and intelligence services around the world. I guess that they monitor officials from a variety of embassies. I object not to that—indeed, I make the assumption that it happens—but to the approach by a Minister warning me off doing such things. That was unacceptable to me, and it remains so. I see it as a breach of my rights and duties to the House and as a Member of Parliament. Of course, I have refused to buckle on this.

I want to share with the House the fact that those conversations I have with the Russians are casual. I have not exaggerated and was not being flip. I will talk about my predictions—for what they are worth—about the United Kingdom political scene over the next few months. What I get in return is Russia's views, which I do not necessarily accept, but I then understand its views about a range of issues. If we abandon that and if we feel influenced or intimidated, that is a real diminution of our roles as legislators, and I find it intolerable. I hope that other hon. Members share my view.

I am concerned about the mere fact that other people clearly had knowledge of our discussions—times and details. I occurs to me that my hon. Friend the Member for North Durham is probably part of the establishment, but I am not and I am never going to be. Basically, there is an attempt to frighten hon. Members, as I was, and they say, "We know that you're a perfectly good patriot and we have every confidence in you, but it would be helpful if you could let us know next time you're meeting them, and you might be able to broach one or two subjects." I think that that is what goes on, and it has been going on in the House for years, and I am not prepared to sign up to it.

I urge hon. Members to reflect on what I have said. We must have oversight of the security and intelligence services. Ministers must be less craven to them. The Prime Minister must be bold and go down in history as saying that he will do what happens in the United States of America, Australia, Canada, the Republic of France and every other democracy, where the legislature has control and oversight of the security and intelligence services.

Mr. Andrew Robathan (Blaby) (Con) *rose*—

Andrew Mackinlay: The hon. Gentleman is poised to intervene. Obviously, he agrees with me, and I hope that hon. Members will reflect on what I say, because I believe that we are ignoring a great danger to our liberties. We should be much more jealous of the rights and privileges of the House, which people fought for and are enshrined in the Bill of Rights.

1.39 pm

Mr. Andrew Robathan (Blaby) (Con): It is a pleasure to follow the hon. Member for Thurrock (Andrew Mackinlay). When he stood up with the back of an envelope in his hand, I thought we would have a short speech. I was disappointed in that sense, but he has injected more passion and—with all due respect to other speakers—more interest in the debate that we might have had otherwise.

I do not agree with the hon. Gentleman on everything, but I have great sympathy with what he says about not trusting the opinion of experts, be they Sir Ian Blair or the spooks, as he calls them, or anyone else. I think the job of Ministers, whom I view as the elected Government, is to make sure that they keep a clamp on the security services and do not take everything they say as the gospel truth.

The hon. Gentleman and I are of not dissimilar ages, so perhaps he was brought up on too many of those 1960s programmes in which there was some conspiracy in the security services to overthrow the elected Government of the country—almost invariably a left-wing Government. I do not distrust the security services, but it is our job and that of Governments to maintain freedom and freedom of information, and to make sure that paid agents of the state, of whatever sort, do as they are told and do not tell the Government what to do. Having said that, I hope the hon. Gentleman will not think me weak or craven, which he suggested one or two Ministers might be.

I hope not to detain the House too long, but there are issues of great concern to my constituents. The first is the eco-town controversy. An eco-town is proposed for a place called Pennbury, which does not exist, in the district of Harborough. I represent about a third of that district. Pennbury is entirely open fields. It is owned largely by the Co-operative and Labour society of the midlands, usually called the Co-op, and partly by English Partnerships, which is a creature of the Government. That is relevant.

Should this town of many thousands of houses be built on a totally greenfield site, contrary to all public policy over a number of years, it will necessitate at the very least a new road between the area and the M1. Although we do not know much about it, that will almost certainly go through the virgin countryside of my constituency. The idea that it is an eco-town is ludicrous. There is nothing ecological about it at all. It is just a town which, I hope, will employ the latest energy-efficient designs.

We need to deal with the demand for housing, which was partly revealed in *The Times* yesterday by reference to the 1.2 million new citizens of this country in the past 10 years. I am sure they are all excellent people who have come here for understandable reasons, but such an influx is, of course, creating demand. However, the Government have yet to produce any real evidence of need for new housing, apart from the fact that there is bound to be some need. I am sure there will be a need for housing, but it should be properly examined. If the Government proceed with eco-towns, particularly the one that impinges on my constituency, they will encounter enormous opposition and they will have to answer the questions that they have so far not answered at all.

The second issue that bothers my constituents in Harborough district is the future of Lutterworth hospital. That should be of interest to the Government who have said, rightly, that people should be treated closer to home. Yet the agent—albeit at arm's length—of the Government, the primary care trust in Leicestershire, is consulting, which I think is a euphemism for "planning", to close the residential beds in Lutterworth hospital. Those beds are used for therapeutic treatment to enable elderly people, typically, to go back to their own homes. If the beds are closed, visitors will have to travel to Rugby, which is at least 8 miles from Lutterworth, or to Leicester, which is 20-plus miles from Lutterworth.

Leicester is perpetually snarled up. There is talk of a congestion charge, although I do not believe that that will materialise. By some delicious irony, when I met the chief executive of the PCT, Catherine Griffiths, at Lutterworth hospital a couple of weeks ago, she was 25 minutes late. The reason was that she had taken an unusual route through Rugby to get to the meeting, and she had met the traffic in Rugby.

I want people to be treated close to home, and I want them to be able to visit their relatives in hospital close to home, and not to have to travel miles, be unable to park, and to get stuck in traffic jams. There is a good hospital in Lutterworth. It may be a little outdated, but as the hon. Member for Sutton and Cheam (Mr. Burstow) said, just because a hospital has red bricks and a Victorian date on the front does not mean it is incapable of being used today. I have been treated in Lutterworth hospital—treated well—and I want to ensure that Lutterworth hospital's services are not downgraded in any way. I shall fight for my constituents in Lutterworth to prevent that.

Thirdly, in the other part of my constituency, which is in Blaby district, a bypass is being built in Earl Shilton, between my constituency and that of my hon. Friend the Member for Bosworth (David Tredinnick). There, a report of great crested newts had to be investigated. I happen to like newts. When I was a child I used to catch them, look at them and put them back in ponds, as I am sure we all did. Now, with the ludicrous bureaucratic nonsense that we have, one needs a licence to handle newts. Did hon. Members know that? A licence to pick up a newt, for heaven's sake.

Dr. Julian Lewis: I hope Ken has one.

Mr. Robathan: Indeed.

According to the Department for Environment, Food and Rural Affairs, there are 66,000 breeding ponds of great crested newts in Britain, yet Leicestershire county council has just had to spend £1.2 million of my money, hon. Members' money and my constituents' money on a plan to erect fencing to prevent great crested newts being affected by the Earl Shilton bypass. The newts are not rare. If there are 66,000 breeding ponds, how can they be? I could take hon. Members, if they wish, to a place where I could find 10 tomorrow.

The lifecycle of the great crested newts means that they come out of semi-hibernation in the spring and move to a pond. After they have laid their spawn, in early summer, they move off. Nobody knows where they go. They go up and down the ditches of Leicestershire and elsewhere, and they may be found wherever they feel they want to go. They do a useful job catching slugs, snails and so on. However, the idea that we should spend £1.2 million of taxpayers' money after a newt was allegedly found—none was found after the fencing was erected—is ludicrous. It is a matter of great concern that we should have reached that point. I shall soon introduce a ten-minute Bill about that. I shall also mention bats.

I like bats. I went on the bat walk organised by the hon. Member for Bridgend (Mrs. Moon) last summer. We did not see any bats around the House of Commons, but never mind—it was very interesting. The fact that disturbing a bat could lead to a fine of X thousand pounds is ridiculous. Of course we should protect bats, but we should balance that with the needs of the human population. I hope we may be able to examine the matter further.

Finally, I shall deal with a survey that I recently carried out in the only Labour-held county council ward in my constituency. The survey was carried out entirely with South Leicestershire Conservative Association money—no communications allowance, none of that dosh, was taken from the public purse and wasted on my constituents. Unusually, I have had a large number of replies to the survey over the past couple of weeks and they are still coming in.

That is interesting, on the day of the Crewe and Nantwich by-election, because Members, particularly those on the somewhat sparsely populated Labour Benches, need to realise, after 11 years of Labour government, how angry people are. The ward, as I said, was Labour-held, not part of the plush, rich, Jaguar and gin-belt set, the sort of place where it might be imagined that people vote Conservative. I shall not

[Mr. Robathan]

quote all the replies, or we would be here until the rise of the House. I asked whether people feel safe. The replies stated:

> "No, I do not feel safe in town centres, even during the day",
>
> "It is not safe on the streets",
>
> "The police cannot do anything, because of political correctness",
>
> "I get scared to go out, despite the massive increase in revenue from rates",

and

> "I never see a policeman".

I also asked people whether they felt better off. A disabled constituent stated:

> "I am extremely careful about using gas and electricity, but I still spend almost 15 per cent. of my annual income of these two things alone. In spring and autumn, I have to keep the central heating off and feel the cold, even though this aggravates my illness."

I am not saying that we should pay everybody's gas and electricity bills, but after 11 years of this Government wittering on about fuel poverty—we heard it earlier today at Business, Enterprise and Regulatory Reform questions—people are still suffering, which is something to lay at this Government's door.

The other thing that concerns people is the increase in immigration—my constituency is on the edge of Leicester. One constituent stated:

> "As a small island, Great Britain cannot sustain the present level of immigration. This is not racist, but common sense."

That feeling is growing throughout this country. I am bemused as to why the Labour party is undermining the labouring classes, who have only their labour to sell, by introducing a cheap source of labour into this country. Many Labour Members, and perhaps the Government, appear to want to do that, but it undermines the ability of the working classes—if I am allowed to use that expression—to sell their labour. That is what has happened, and that is what my constituents are telling me. In those letters, my constituents tell me—not in British National party fury but in sorrow—that their country has been "overrun" in a way they did not expect. Those people are not racist—well, one or two are, if the truth be known, but most of them are not. I hope that the Government will take note, because they will get the same answer from the good people of Crewe and Nantwich today.

Finally, I want to return to eco-towns, which are of general interest. This is where I might team up with the hon. Member for Thurrock on conspiracy. The Environment Agency is meant to protect our environment, and it issues a magazine, which I am sure that we all avidly read, called *Your Environment*. Issue 19, which is the responsibility of the Environment Agency director of communications, Adrian Long, covers May to July this year and comments on eco-towns. Whatever eco-towns do, if Pennbury is built—I hope it is not—it is hardly likely to enhance the wildlife of the area, as thousands of homes will be built in the middle of fields, streams and woods. I am sure that the Government will deny that that publication is propaganda, but issue 19 states that

> "eco-towns seem a good step forward in terms of modern living. They promise good environmental benefits and a better quality of life for people and local wildlife".

I am not a biologist, but I think that the local wildlife in this particular case would disagree.

1.53 pm

Mr. Dai Davies (Blaenau Gwent) (Ind): I am grateful for the opportunity to raise a couple of issues that concern my constituents.

The movement of housing stock from council control to an arm's length management organisation—or in our case, Welsh housing associations—is a great concern. My constituents cannot understand why the Government will not allow councils to retain their housing stock and obtain funds to regenerate it. The stated reasons include the public sector borrowing requirement and the effects on the economy, but housing associations are allowed to do that.

There is more need than ever before in constituencies such as mine for affordable rented accommodation. House prices and wages are out of sync—the average wage is around £13,000; the average house price is around £100,000. In many cases, rented accommodation is the only option. As and when council properties move over to a housing association, what quality of maintenance and response to need will that housing association provide? Rumours are flying around that rents increase within weeks of an association taking over housing stock. What review has been carried out of the effectiveness of previous transfers to associations? The issue of rent money being held by the Treasury was raised earlier, and the concern is that money from the sale of housing stock, which has gone on for a considerable time, has not been reinvested in housing.

On shared equity housing, how long does a house remain a shared equity property? One can own 70 per cent. of a house, and a housing association can own the other 30 per cent., but does such a house always remain a social house, or does the housing association have the right at some time in the future to sell it off at full price? And how do individuals who own part of a house move on? How will they afford to own 100 per cent. of a house? There is a need for social housing, but it must be balanced against an individual's ability to live and work.

When the empty business rates tax was first considered in this House I supported it, but with hindsight I think it has caused considerable problems. A number of business premises in my constituency are empty not because the owner does not want to fill them, but because the economy will not allow that to happen. Those owners must now find the moneys to pay the extra tax. Some individuals have been criminalised—they have even been taken to court—because they cannot afford to pay. I agree that empty properties are not what a community needs for regeneration, but to punish individuals who have done their best to run businesses is not the way to do it.

In their advance statement about the Queen's Speech, the Government announced the possibility of their taking over empty and derelict houses and revamping them to sell on. One of the issues that we have discussed locally—I hope that the Government consider this—is empty business premises. Some shops in parts of my constituency have been empty for some years. I have fought to get grants to allow such shops to be returned to domestic dwellings rather than businesses. There is a huge need for the reintroduction of grants for revamping business premises and domestic dwellings, and I hope that the Government consider the social and regeneration aspects of that point. When premises, whether houses or businesses, are boarded up, it does nothing for the community or the local economy.

Those are the two main issues, and I hope that the Government consider them in detail. I wish the staff of the House and all hon. Members a peaceful and restful week off.

1.58 pm

Dr. Julian Lewis (New Forest, East) (Con): I hesitate to take up the House's time by further referring to the issue of Members' private home addresses being published, but this is one of the few opportunities available to me to develop the argument, which I shall do in detail.

Every hon. Member has a few special skills, some of which are more valuable than others. I have very few special skills, one of which is particularly rarefied—I have an understanding of the way in which extremists' minds work. Were I an extremist, I would be cheering on the freedom of information campaigners who are urging, for misguided reasons, that the private home addresses of Members of this House should be made public in an easily accessible form.

I first learned to be careful about my private home address 31 years ago, when I was involved in a nasty campaign concerning the infiltration of a democratic party in this country by an extremist organisation. It was impossible in those circumstances for my address in the then constituency of Newham, North-East to be kept secret.

A number of things happened in the course of that campaign, including someone tampering with the brakes of my motorcycle, which caused me to sustain a significant injury, and the subsequent hurling of a boulder through my bedroom window late at night. I was fortunate that, as it hit the masonry, only the glass penetrated into the room and on to the bed where I was sleeping, rather than the boulder itself.

A few years after that campaign was over, I believe that it was the investigative journalist Barrie Penrose who wrote an interesting story in *The Sunday Times* about a firm of investigators called Detectives (Private) Associates, which had, in part of that campaign, been bugging my telephone lines and making use of the political information. Even if I were not concerned about my personal safety, the case raised the question of my right to privacy to campaign, in what I believe was a democratic way, on an issue that was causing great concern to the political parties of the day. It was causing concern not only to the Labour party, with which I was involved at the time, but to anybody who was concerned about the way in which extremism was trying to infiltrate democratic institutions.

Subsequently, a number of other campaigns involved my dealing with organisations of political extremists at home and Governments of a totalitarian nature abroad. I never doubted that if any of those bodies really set their mind to it and made a special effort, concentrating all their resources on it—they might simply follow me late one night—they would eventually be able to find out where I lived. I did not see that then, and I do not see it now, as a justification for making it easy for anybody to be able to dial up, at the touch of a button, where I live. At least if someone is going to have a go at me, let them have to work hard to find out the information as to how they are going to do so.

In those days, I was on my own, but now I live with my partner—at least, I live with my partner at my London address. If people are perhaps to know where my constituency home address is—I shall discuss that point in a moment or two—at least my partner is not exposed to nearly the same level of risk. That is because somebody might decide to have a go at me at, or, more likely, send something through the post to, my constituency home address than to my London home address, where she lives.

As a result of not only those past campaigns and the experience that I have gained from them, but a recent event—I was involved for five years in trying to build up a case against a career criminal who had defrauded my elderly father of thousands of pounds for building work that had not been completed, and my lawyer advised me that it would extremely unwise for any of my addresses to be made easily publicly available— I decided that I would take on this issue.

I did not do so because, as one might think, I felt myself particularly at risk, although I am particularly at risk. I am one of the people most likely to benefit from the exemption that has been laid down all along by the Information Commissioner and by the Information Tribunal appeal ruling of 26 February, paragraph 84(7) of which stated:

> "Where a particular MP has a special security reason for keeping the address of his or her main or second home confidential (for example, because of a problem with a stalker, or a terrorist or other criminal threat), that address may be redacted."

For those who do not understand that term, may I say that it means that whenever any piece of information about our expenses spent on such an address is made public, the actual address should be blacked out. One would have thought that that was a simple enough thing, but it appears to have escaped the understanding of the Information Commissioner and the judges who have subsequently pronounced, in their wisdom, on those questions.

I would almost certainly be able to claim that exemption for myself, but as a result of my experiences, I have felt it particularly important to try to ensure that similar protection is extended to my colleagues, who might not have had my experiences and who might not yet be subject to the same sorts of threats that would entitle them to claim an individual exemption on the same basis as me.

Andrew Mackinlay: I want to tell the House and the hon. Gentleman that as a result of one of my parliamentary activities, I received 600 threatening and menacing letters—by hard copy, not by e-mail. Leaving aside the matter of their contents, if they had arrived at my home, as, inevitably, such letters will, I would have faced the logistical, practical problem of trying to identify which were my own private mail and which were those hateful, menacing letters. This issue has not been understood.

Dr. Lewis: I welcome that response, which takes me nicely on in my line of argument. I am sure that only a momentary oversight has prevented the hon. Gentleman

[Dr. Julian Lewis]

from adding his signature to early-day motion 1620 on this matter, and I look forward to his doing so. It is not fair to expect Mr. Speaker constantly to have to stick his neck out to defend what the hon. Gentleman previously referred to in another context as the privileges of this House if Mr. Speaker is not made firmly aware of the united opinion of this House when it needs him to defend our privileges or, as some would call them, our rights. This is a matter of rights.

Let us consider the question of mail, which the hon. Gentleman so rightly raised. If I were applying an extremist mind to an extremist cause—I like to think that I apply my mind to moderate causes, such as the defeat of extremism—I know what I would do if I wanted to knock this ridiculous proposal on the head. I would buy a large packet of white soap powder and 646 envelopes, and I would then place a quantity of the soap powder in each envelope, together with a little note saying, "Ha, ha. You have just opened a packet of anthrax", and send an envelope to each of the 646 private home addresses. Of course, people would not have opened a packet of anthrax, but it would take a brave or reckless MP not to take the trouble of immediately contacting the emergency services in case the envelope of white powder really did contain anthrax, as has happened in a case in the United States.

Are we insane enough to make this sort of information nationally available? If an experienced, professional, terrorist organisation is determined to knock off a particular MP, it will, of course, track that MP and do something bad to him. But why should we make it easy for such an organisation to do the same thing to 645 other MPs at the same time? I could not understand how we reached this state until today's business questions, when the hon. Member for North Durham (Mr. Jones) said something that I had not known: that when these matters were being argued before the relevant commissions, no professional security advice had apparently even been taken. What on earth did the officials of this House think they were playing at when they omitted to take that basic step?

Mr. Bacon: My hon. Friend is making an extremely interesting speech. Is not his revelation of the failures to take security advice all the more extraordinary in light of the fact that I can remember three Members of Parliament being murdered in my adult lifetime because they were MPs?

Dr. Lewis: I shall jump on a bit in what I was going to say as a result of that excellent intervention; I hope that the House will forgive me if I go back and forth a little in my line of argument. I have come to the conclusion that nothing will concentrate the minds of the judges, the officials of this House or the officials who work for the Information Commissioner more than being put in the position in which they are seeking to put Members of this House. That is why I have, not at all facetiously, put in freedom of information requests asking for the private home addresses of High Court judges in general. Now that we know the names of the three High Court judges who took the decision, my parliamentary assistant has put in a supplementary request for their details to be made public. The grounds on which those judges came to their decision were that if someone really set their mind to it, it would be possible to find out legally and quite straightforwardly where anybody in the public eye lived. If that applies to us, it applies to them.

However, in reality, the argument is a falsehood, as a moment's reflection will reveal. If somebody wishes to take basic security precautions in respect of their address, it is possible for them to do so. My address has never been on an electoral register, and that is quite legal. Owing to my individual political history, I have explained to the electoral returning officer every time that I would prefer to register under a nom de plume. Anybody can do that. I fill in my electoral registration form with my nom de plume and sign it "Julian Lewis", indicating that I have used that nom de plume.

It is true that when I stand in elections, my private constituency address has to be published in certain electoral documents; that fact is used as an excuse by the various individuals and bodies to say, "Well, the cat is out of the bag, so all the addresses for which money is claimed—either the London or constituency addresses—should be put in a big list on the internet."

I have done an experiment. As I said, my private constituency address does not involve my partner and her safety. I have entered that address into the Google search engine with my name. I have had to fill in various forms with that address—I am talking only about my constituency address, not my London one—but despite that fact, no match comes up anywhere on the internet. If somebody is sufficiently evil-minded about it, they will no doubt now make a point of going to New Forest, East, ferreting around, finding the relevant forms and publishing my address in the papers. I have had to take that calculated risk in putting my head above the parapet and raising the issue at all. Good luck to them—they will just prove my point. However, at least my London address, where my partner lives with me, will not be involved.

The people I have been talking about have taken leave of their senses. The problem has been that we have not had the opportunity properly to present the security considerations to those who ought to consider them—namely, the judges and commissioners. Furthermore, as I said in an intervention, we have not had an opportunity to raise the issues outside the House, because the very people who are determined that all this stuff should be exposed are the media themselves. I have no confidence whatever that I will be any more successful at making the public aware of the issues at stake as a result of this debate.

I have tried my best with the media. I had a very long conversation with a journalist from *The Times* whom I know well and whom I regard as principled. I explained to him at length the issues about the disclosure of MPs' addresses, particularly in the context of the current terrorist environment. I explained to him what I would do, even if I were only an al-Qaeda sympathiser at home or abroad; I have given one example of what I would do, but I do not want to generate too many free ideas for the extremists out there by giving more. However, I could do plenty more things with my twisted mind; I am sure that the extremists do not need my suggestions anyway. The journalist had no answer to any of my points. He really did not—I am not doing him a disservice or being unfair to him. However, I could tell that he was uncomfortable with the conversation, which ended with him saying, "Well, I'll have to think about it, Julian."

I later had a conversation with a particularly experienced and distinguished parliamentary correspondent from one of the tabloid newspapers. He went even further than *The Times* correspondent. He said, "Gosh! It would be barking mad for those addresses to be published."

Andrew Mackinlay: It is the barking mad that we have to worry about.

Dr. Lewis: Indeed. Have any words appeared in that particular tabloid putting our side of the case? Not at all.

I should like to spend a moment considering what the Information Commissioner, supported by the wisdom of the High Court, proposes that we should rely on. I say it again: there is an exemption through which if a particular MP has a special reason for keeping his or her address confidential—because of a stalker, terrorist or other criminal threat—the address may be redacted. Right, let us think about that.

Let us take half a dozen female MPs as an example, and let us imagine that the provisions are about to come in. One of those MPs is being stalked. "Ah! That's all right," says the Information Commissioner, "We have catered for that—her address will be redacted." Fine, so we go to press and the address of one of those half a dozen female MPs is withheld and the other five addresses are published. But hang on a moment—six months down the line, two of the other five suddenly acquire stalkers. What will we do about them? Will we say, "Sorry: general public, please disregard those addresses that we published"? Are we going to say, "Too late now—tough luck." If we say that, why should the first one to be stalked have had the advantage of not having had her address published, while the others did not? Alternatively, will we say that the lady MPs should be moved and that we will pay for the costs of that? That would involve the public purse, and the issue is supposed to be about the public purse—although it is not, in my humble opinion.

Mr. Bacon: I am grateful to my hon. Friend, who is being very generous. Another issue that occurs to me is this: how are we supposed to know in advance that we are about to become a victim of terrorism? I say that very seriously. At about a quarter to 3 in October 1984, I happened to be in Brighton. I walked through the revolving doors of the Grand Hotel to see whether some friends of mine were still there. I sat down and had a chat. About four to five minutes later, the Brighton bomb went off. I did not know that that was going to happen; if I had, I would have been somewhere else.

Dr. Lewis: That is why we can see that not a moment's real thought has been given to the security implications. I am afraid to make the following proposal, because I know the bureaucratic mind as well as the extremist one—even now, I can see the bureaucrats groping madly for the wrong conclusion. My proposal is that if there are any grounds for withholding any hon. Member's address because they already face a specific threat, that must be an argument for withholding every hon. Member's address because we could become subject to such a threat at any time because of the nature of our work.

In fact, the bureaucrats would no doubt say, "Ah! Perhaps we have been too generous. Perhaps we had better say that it is so absolutely vital to be certain that MPs are not fiddling the additional costs allowance—that is the matter of supreme importance—that we had better publish the addresses, even of those MPs who do face a criminal threat or threat of stalking or who have put their heads above the parapet."

The very hon. Member for Hendon (Mr. Dismore) has put his head above the parapet many times by naming in this House extremist—I would call them unIslamic—organisations and individuals. He has been very brave. He knows that he may well be attacked on account of his bravery, but why should he have the additional concern that his family might be? The whole thing is barking mad, as I said earlier.

Andrew Mackinlay: I have not signed that EDM so far—I am a bit of a loner in this place—but I will consider doing so. I have asked parliamentary questions on my own initiative, one of which asked whether the addresses of judges' lodgings will be published. They are demonstrably provided at public expense, and I imagine that the Government, who are craven, will baulk at pressure from the judges and say, "You daren't do that. These are public buildings." I want the addresses of the judges' lodgings.

Dr. Lewis: The hon. Gentleman is irrepressible and, as usual, he is not only irrepressible, but unanswerable. The only way in which the problem will be solved is to force the people sitting in judgment on these matters to consider how they would like it.

I mentioned briefly during business questions a couple of the other early-day motions that have been tabled by other hon. Members—not in any co-ordinated way; I knew about them only when I saw them on the Order Paper. The hon. Member for Colchester (Bob Russell) tabled early-day motion 1623, which states:

> "That this House notes the reasons given by the High Court as to why the addresses of hon. and right hon. Members can be published; and considers in the same spirit of openness and public accountability that the home addresses of High Court judges, who are adult, law-abiding citizens and holders of public office in the public eye"—

he has, of course, taken that word-for-word from their judgment about why our home addresses had to be published—

> "should also be published along with a detailed break-down of the expenses which they charge to the public purse."

He subsequently told me that the Table Office, for reasons that are understandable but nevertheless regrettable, crossed out the words at the end of his original draft, which were

> "on the basis that what is sauce for the goose is sauce for the gander."

Andrew Mackinlay: They also charge the taxpayer for their ridiculous clothes.

Dr. Lewis: I am not sure whether I should put that sedentary intervention on the record or not, but I fear that I have just done so.

I also draw attention to early-day motion 1628, tabled by the hon. Member for Mansfield (Mr. Meale)—a former Minister—that reads as follows:

[Dr. Julian Lewis]

> "That this House notes the High Court's reasons for why the addresses of hon. and right hon. Members can be published; and in the same spirit"—

gosh, it seems to be the same sort of words—

> "of openness and public accountability, the home addresses of High Court judges, chief police officers, fire chiefs, chief executives of local authorities, chairs of public bodies and senior Crown civil servants should also be published alongside detailed breakdowns of the expenses which each charge to the public purse."

I was not going to raise this point, but that EDM reminds me of a press story that I read recently concerning the fact that certain chief executives of local councils—people whose salaries are between three and four times larger than those of hon. Members of this House—had been receiving what was described as hate mail from members of the public because they were getting such gigantic increases in their salaries. As a result, for data protection and privacy reasons, their increases in salary were no longer to be revealed. I am not sure whether I have that right—

Andrew Mackinlay *indicated assent.*

Dr. Lewis: I see that the hon. Gentleman agrees. It was certainly the case that someone would not be able to identify which particular chief executives had received massive salary increases. How would those chief executives like their home addresses to be published? They were so concerned about their privacy and about not getting nasty letters from irate taxpayers, that they did not even want it to be known that they had had such large increases, let alone to receive letters at their home address rather than at their work address.

Mr. Evans: I sit on the Select Committee on Culture, Media and Sport where I once asked Mark Thompson—

Mr. Bacon: £620,000.

Mr. Evans: We know how much he earns, but I said to him, "Do tell me how much Jeremy Paxman earns." He said, "I am not going to tell the Committee because it is confidential." Everyone is taxed through the TV licence; public money is provided for all BBC journalists, so the same sort of revelations should be made in that case.

Dr. Lewis: This is where I have another confession to make. I am not a very religious man, but in so far as I have a religious hinterland, it goes back more to the Old Testament than the New Testament. I do not take the view that one should turn the other cheek; I take the view that if I am going to go down, I am going to take as many of these people down with me as I can. For that reason, I have not only submitted a freedom of information request for the private home addresses of judges to be published, but I have started tabling questions to every Cabinet Minister—I am up to about 12 Departments so far—asking what their policy would be if they received a freedom of information request asking for the disclosure of the private home addresses of senior civil servants, who correspond to Ministers, and middle-ranking civil servants, who correspond to ordinary Members. I do not want to belabour those points, and I shall move on to newer ground.

Mr. Bacon: I have just been reminded of a case from the Public Accounts Committee. We spent months, if not years, trying to get information on redundancy payments out of the Foreign Office. The amounts in question were not small—in many cases, they were £300,000, £400,000 or £500,000. Retired diplomats were being paid off without the inconvenience of having to continue their employment for five or six years more. It was impossible to get the names of the individuals involved, even though it was public money.

Dr. Lewis: That does not surprise me at all. As my hon. Friend the Member for Ribble Valley (Mr. Evans) said, we have an absurd situation in which, based in the same organisation, we have the people responsible for freedom of information requests and those responsible for data protection. Effectively, if there are conflicts, there ought to be two separate bodies to fight the corner of each side of the argument, but that is not the case at the moment.

I shall diverge a little more, as I have mentioned the Information Commissioner. I have a chequered history with the Information Commissioner, and I do not have a great deal of regard for the way in which that office has done its job. In September 2004, I was surprised to receive a summons from the then leader of my party, my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard). He informed me that although my only speciality in life was defence and security matters, as I hope some of the remarks I have made illustrate, he wished me to take on the role, on a temporary basis, of shadow Minister for the Cabinet Office. I am sure that he will not mind me mentioning it now the election has been and gone. He was quite blunt about it; he was concerned about the way in which the Freedom of Information Act might be applied—he had a lot of foresight on this—when it came into force. Although it had been enacted in 2000, it came into force only on 1 January 2005 and of course the election was due to take place soon after that.

My right hon. and learned Friend's concern was that the Act lent itself to being used in a politically partisan fashion. It would be possible to release all sorts of detailed information about why previous Governments, who happened to be Conservative, had taken decisions that had led to all sorts of disasters like Black Wednesday, but it would not be possible to get similar information out about the current Government because it was too current, and exemptions would have kicked in concerning the act of government becoming impracticable if current matters were being investigated. My job, which was given to me on a temporary basis—the promise was that I would go back to defence whether we won or lost the election, and I am delighted that it was fulfilled—was to try to neutralise that threat.

In the course of doing that job, I did two things. One was to table a lot of questions to a lot of Cabinet Ministers that I knew would be rejected, as indeed they were, and thus when old material was brought out, it became a matter of whether the Act was being used in a partisan way. The other thing was something I stumbled across by accident. I tabled a series of questions to every Department, asking how many confidential or secret files had been shredded in the each of the past five years—in other words, since the measure had been enacted but before it came into force. In several cases, there was no discernible change and a roughly equal number of files had been shredded in each of those years. However, in several Departments, including some important ones, there had been a massive increase in shredding files. To my mind, that provided at least a prima facie case that something had been going on and that some Departments had decided to make a bonfire of files before they had to open them. I thought that addressing that was surely what the Information Commissioner and the Freedom of Information Act were about.

Andrew Mackinlay *indicated assent.*

Dr. Lewis: I am delighted that the hon. Gentleman agrees.

To my amazement, Mr. Richard Thomas, the Information Commissioner, immediately declared that he was unaware of the deliberate destruction of files by civil servants and that Departments were keen to co-operate with him. He said that he would give them all a clean bill of health but that, if I had any evidence that they had been destroying files to avoid the terms of the Act, I should give it to him. Excuse me, Mr. Deputy Speaker, but I thought that that was his job. I believed that I had established enough prima facie evidence. When an Act is coming into force that requires many files to be opened and there is a pattern that shows files being destroyed steadily and then a sudden massive increase in that destruction, surely that is enough to trigger an investigation. However, he was having none of it.

By contrast, determining whether a bunch of Members of Parliament genuinely live in the houses for which they claim expenses shot to the top of the Information Commissioner's agenda. Only today, he is at the top of the news agenda—it is the same man; he is doing well. I wonder what his home address is—perhaps I will find out. He is initiating an investigation into how the Tory party gave names, voting intentions and so on to some media. Why does he need to investigate that? We know how it happened—a massive mistake was made. All the people who received the information assured everybody that they have destroyed it. Of course, those in the Conservative party who are responsible deserve a severe reprimand for making a stupid mistake. However, why does the Information Commissioner leap on that and investigate it when there is no mystery? When something happened that genuinely mattered, he flunked the challenge. I do not hesitate to say that I have no confidence in the man as an individual and no professional confidence in him. The sooner he is brought before the House, so that he can be subject to some oversight and answer some questions, the better.

I want to consider the post that comes through hon. Members' doors—the matter was raised earlier in an intervention. We go to great expense to screen our in-coming mail in the House. What is the point of doing that if our addresses are published en masse? What terrorist or nuisance with half a brain would send letters to hon. Members at the House when they could send them to their home addresses? What shall we do? Are we to institute screening procedures at everyone's home? Will we save money and do away with the screening procedures here because there is no reason to keep them other than to protect the building, because they sure as heck are not going protect Members of Parliament once the madness that we are considering occurs? If my address were published—I do not believe that that will happen for the reasons that I outlined—I would arrange for all my mail, personal, abusive and professional, to be rerouted to the House of Commons to be screened before it returned to my home address. Is the House prepared to take that on and the expense that it would entail?

Mr. Evans: There is a problem of privacy with that. Private mail could come in here to be screened. I suspect that my hon. Friend does not open all his own mail and that his secretary or researcher does that. All privacy would go. There seem to be no rights for Members of Parliament.

Dr. Lewis: My hon. Friend is right. I have taken up too much of the House's time, but I want to mention a final asinine comment by the High Court. If the law was an ass, it has been downhill all the way ever since. There are conventions in the House that we do not attack the judges, but there are also conventions that they should not attack us. They started it and, as I said, I am an Old Testament character. Let us consider the penultimate paragraph of the brilliant judgment by those brilliant men, whose home addresses, not to mention their expenses, I am looking forward to finding out soon.

Paragraph 44 of the judgment states:

> "We recognise that if the arrangements for oversight and control of the ACA system were to change, then the issues of privacy and security of MPs and their families might lead to a different conclusion to the one reached by the Tribunal."

After all the arguments about the cat being out of the bag because we signed various forms and so on, the judges say, "Well, actually, if the ACA system were improved or tightened up, we might not say that they need to publish at all." There is something slightly wrong there. The paragraph continues:

> "The Tribunal was required to act on the evidence available to it,"—

we all know now the quality of that evidence—

> "and make its judgment accordingly. If the question were to arise again, the Commissioner, and if necessary the Tribunal, again, would have to make whatever decision was appropriate in the light of the changed circumstances."

I hope that at least my colleagues, including the 14 unfortunate ones who are already in danger of having their private home addresses published, will read my remarks. Even if they have not thought about what might happen to them in future, it might happen. Frankly, we have reached a sorry state when a so-called privileged Chamber cannot even have in it hon. Members who can be sure that at least postal access to the places where they live with their families has a minimal amount of basic, common-sense security and protection.

2.36 pm

Mr. David Evennett (Bexleyheath and Crayford) (Con): I am pleased to participate in this Adjournment debate and to raise several issues that greatly concern my constituents.

[Mr. David Evennett]

I pay tribute to my hon. Friend the Member for New Forest, East (Dr. Lewis), who spoke with passion from personal experience in a thoughtful and thought-provoking speech. I congratulate him on that. I also pay tribute to my hon. Friend the Member for Blaby (Mr. Robathan), who made an interesting speech, and the hon. Member for Thurrock (Andrew Mackinlay), who has always entertained us and made us think deeply about the issues that confront us.

I am keen to concentrate on several issues that I believe that my constituents would like raised. Through my regular surgeries, meetings and constituency visits, I am well aware of my constituents' views and concerns. However, in the past couple of months, I have been able to talk to many more in canvassing and campaigning during the London elections. We heard at first hand that they feel let down by the Government in so many ways. They feel great disappointment because they are not being listened to. They believe that the Government are out of touch with and unconcerned about the suburbs—my constituency is suburban—and that Labour has let down the suburbs. That was highlighted on all fronts in my area of Bexley and Bromley by the election of 1 May, in which the Conservatives did particularly well and the Labour party did very badly.

People in my area are concerned about several major issues, with crime and antisocial behaviour at the top of the list. The NHS is another issue of concern, particularly downgrades, closures and problems with local health services. Another concern is the closure of post offices and the relocation of one of our main post offices into WH Smith. People are concerned about the cost of living, such as the cost of food, which is increasing dramatically, and utility bills. Those issues are having a detrimental effect on the low-paid and on families and pensioners. Of course, taxation is also of concern. People feel that taxes have gone up, but that the standard of public services has gone down.

Let me address crime and policing first. I pay tribute to our borough commander, Tony Dawson, who is doing a very good job of endeavouring to deal with local problems in our borough of Bexley, such as antisocial behaviour. The fear of crime is a problem, as indeed is fear of the unknown. People are frightened to go out at night because of the gangs of youths that gather; they fear that they will be intimidated, if not assaulted.

Violence against the person has increased across London, but the most important issue is people on drink or drugs, which cause bad behaviour. I am very concerned about that. Figures show that hospital admissions linked to alcohol use have more than doubled in England since 1995, and that alcohol was the main or secondary cause of 207,800 NHS admissions in 2006-07, compared with 93,500 in 1995-96. Those statistics are frightening. I understand that there has also been a 20 per cent. rise in the number of GP prescriptions for the treatment of alcohol dependency in the past four years. The problems of alcohol and drug abuse are causing more antisocial behaviour and crime in areas such as the suburban areas of Bexley.

Mr. Evans: I also raised this issue in an intervention on the hon. Member for Thurrock (Andrew Mackinlay), but it is an important point. The front page of today's *Evening Standard* shows the carnage that took place in Chelsea in relation to the football match in Moscow. However, there were no problems in Moscow. Does my hon. Friend believe that that might have something to do with the proper policing there and the alcohol-free zone around the stadium, which meant that fans could not get tanked up before going to the match?

Mr. Evennett: My hon. Friend makes a powerful point, with which I agree. I passionately believe that we should go back to having a police force enforcing the law, rather than a police service, which the Metropolitan Police Commissioner, Sir Ian Blair, seems to prefer in London. We need to look into that. I am confident that there will be a great improvement under our new Mayor of London, because he understands the issues and wants to deal with them.

I had the privilege of going into one of my wards with the safer neighbourhood team, which has been a great success. I am not here to condemn everything that the Government have done, because they have some good things—just not enough. That is the problem; there has been a bit of complacency. The rolling out of neighbourhood teams and police community support officers has been a good thing. I had the privilege of going out with Ross McKibben, the sergeant of the North End safer neighbourhood team, three weeks ago to see the particular problems in his patch. He and his team have done a good job, but they are undermanned some of the time and they do not work there at weekends, which is a problem.

The team deals with difficult terrain, but it is doing a tremendous job. I met the PCSOs and the team at the Howbury centre, and we went from there to the Frobisher estate, where residents have complained about the tremendous amount of antisocial behaviour, including problems with drunkenness, drugs, vandalism and damage. Residents feel intimidated, and that is not acceptable. If they cannot live in their homes without feeling intimidated every time they go through their front doors, that is a problem. Society must deal with that problem, and the police, the Government and local authorities, working in partnership, must do more about it.

Under the Conservative Bexley council, we have had considerable success in the centre of Bexleyheath with alcohol-free zones and attempts to ensure that police are visible on the streets on Friday and Saturday nights, when such problems occur. I pay tribute to the new council leader, Teresa O'Neill, and her team, which continues to work with community police and the borough commander to make sure that Bexleyheath is a much safer environment for people who want to go out on a Friday or Saturday and enjoy a meal, go to the cinema or go for a drink with friends without feeling intimidated or a problem when they come out at the end of the evening.

Some areas of my borough have improved, but there is an awfully long way to go. We ought to be making it a top priority to have a police force with officers on the beat who can catch criminals, and to have less bureaucracy and paperwork preventing the police from getting out of their police stations and doing the job that they need to do.

A second area of great concern locally is the NHS, and particularly the hospital reconfiguration that the Government are so keen on. Our local accident and emergency and maternity services are under threat, and there will be a downgrade at Queen Mary's hospital, Sidcup, if the Government get their way. I am worried about that because Queen Mary's is a good facility. Kate Grimes is the chief executive, and the team has turned the hospital around in so many ways, including financially. Also, hospital infections have been reduced, and the throughput of patients has been increased. I visited the accident and emergency unit at the hospital one Friday night, and I saw how dedicated and passionate its team was about serving the community. Regrettably, however, that hospital is threatened with a downgrade, because in today's society we have to merge. Queen Mary's is the only non-private finance initiative hospital in the area, so it is easier to curtail the facilities there.

That is a worry. People are paying their taxes and they expect good local services. They do not want to have to travel long distances to get the health care that they need. The traffic in our area is often congested because of the suburban roads, which could result in lives being put at risk if the A and E unit at our hospital is closed and people had to go further afield—to Lewisham or Bromley, for example, or to the Queen Elizabeth hospital at Woolwich.

People are really concerned about this issue, not because everyone wants their own little hospital, but because of the practical need for a facility that is accessible not only to the people needing accident and emergency facilities but to those using the maternity services. When young mothers go to have their babies and their check-ups, they want their relatives to be able to visit them easily.

A third area of real concern is the post offices. We have raised this issue, along with that of the health service, on many occasions. Our post offices and sub-post offices are being closed, and the service is no longer there for our constituents. The Government always make excuses, but they have reduced the facilities for sub-post offices to be able to provide services, after which the sub-post offices are no longer viable. The real problem is that the Post Office does not listen. It makes decisions purely on financial grounds and then says, "Take it or leave it." We recently made a good case for our Brampton road post office, which was well used and well located, yet no consideration was given to our arguments and the post office was closed, just as all the others were. That was very disappointing.

Our main post office in Bexleyheath was closed and relocated to the first floor of WH Smith. Smith's is in the middle of the shopping centre and near the bus stop, so one might think that that was not too bad. However, the new post office was upstairs. When I visited it before the move was implemented, I pointed out that the lift was inadequate for pensioners with walking frames and for mothers with pushchairs, because it was too small. More importantly, it regularly broke down. I was pooh-poohed, and the managing director of Post Office Ltd said that there was no problem and that everything was fine. However, the lift broke down not once, not twice, but three times. Finally something is being done about it, but why on earth could not the Post Office and WH Smith have done something before the relocation took place, rather than afterwards? That shows a lack of care and consideration for our constituents and for the services that they need and value. That is all wrong.

Nobody seems to listen. I know that the Deputy Leader of the House is a very nice person, but she does not listen because she is part of a Government who do not listen. She personally might listen, but then she and her colleagues just argue back at us. Even some hon. Members on her own side supported us when we had a debate on post office closures, which we only just lost. The Government's own Back Benchers felt exactly the same way as we did. Yet it made no difference and the Government steam-rollers on. I hope that they will get the result that they deserve at Crewe later today.

Dr. Julian Lewis: Cautious optimism.

Mr. Evennett: We are always cautiously optimistic; we do not take anything for granted.

I want also to deal with the whole question of the cost of living. The Government are always on about the consumer price index; indeed, the Prime Minister was an expert at doing that when he was Chancellor. That was the great thing, but it is meaningless for most of our constituents, because many of their weekly costs are not necessarily included in that index, whereas the retail price index was slightly more sensible. We still hear from the Government that inflation is at a certain figure, but for pensioners, those on low pay and my constituents who are not wealthy, the cost of living is much greater than the Government will accept or admit. That is disappointing, as the cost of bread and other foodstuffs has increased quite dramatically. That is why the Government are so unpopular; they do not listen, and they are in an unfortunate position—local people know that, and they voted accordingly on 1 May.

People living in my constituency have to commute and use the transport system. We have one mainline service going through to London Bridge and the City. There are three lines, but we do not have an underground. From January this year, the cost of travelling from Bexleyheath to London has gone up by 13.5 per cent. No one's pay has risen by that amount, but taxes, the cost of living and the cost of transport continue to go up. There is disillusionment. The people in my area want someone to listen, and they want a Government who will listen.

I have tried to highlight the issues that crop up again and again in my postbag, and which my constituents are most concerned about. I very much hope that the Minister will listen to some of the points that have been raised and take them back to her colleagues. It is important that people feel that their Government are not listening; we on the Conservative Benches will make sure that they do.

2.52 pm

Mr. Nigel Evans (Ribble Valley) (Con): It is always a pleasure to follow my hon. Friend the Member for Bexleyheath and Crayford (Mr. Evennett), who focused on a number of subjects that are important to him and his constituents. He mentioned alcohol-free zones. We should look more pointedly at that issue—even in respect of my own constituency, which is a fantastic area—because that sort of minor antisocial behaviour affects the quality of life of many people. On 7 June, I am accompanying a local councillor, Jim Marsh, to the local police station in Coupe Green to meet local

[Mr. Nigel Evans]

residents who have a problem with youths who drink alcohol in the local park where children often play. That affects the quality of life of people living around the area. Alcohol-free zones may well be the answer. Such tools need to be used more effectively, particularly where trouble takes place outside football grounds, for example, often even when there is no football match going on. The antics that some of these yobs got up to last night were absolutely amazing.

My hon. Friend the Member for Bexleyheath and Crayford mentioned the discontent of different groups of people and the effect of the abolition of the 10p tax rate on the poorest sections of society. A friend of mine phoned me up recently, asking me whether I had heard the Chancellor on the "Today" programme trying to justify what had gone on with the 10p rate, saying that everything would be okay as £120 would be given out to the poorest people. I said that I had heard that. My friend said that the Chancellor attempted to justify why the cost would be greater than originally stated by the Prime Minister—less than £1 billion, when it is now £2.7 billion. The Chancellor said that it was necessary because of food and fuel inflation, which meant that people needed help straight away. My friend said, "Do you realise, Nigel, that the only people who are going to miss out on the food and fuel inflation money are the poorer sections of society?" That was because the £120 simply takes those people back to where they were before the Budget.

The people who benefited from the abolition of the 10p rate and the altering of the 22p rate down to 20p will get an additional £120. They benefited from the Budget and will also get £120 to help them with food and fuel. The poorest sections of society will get not a penny to help them with the inflation on food and fuel that we all see when we go to our supermarkets and petrol stations. It is yet another reason why people get extremely frustrated by the Government not listening and not learning.

I, too, should like to pay tribute to Tom Burlison. He was a former secretary of the GMB and a former professional football player for Hartlepool United and honorary president of the club. I met Tom on several occasions. If ever someone was asked to describe Lord Burlison, they would say that he was hard-working, dedicated, committed and unassuming. That was another thing about Lord Burlison. When I first met him, I referred to him as Lord Burlison. He stopped me, grabbed me by the arm, and said, "Call me Tom." That was Tom Burlison for you. I know that he will be missed every day by his family, but it will be more poignant when his son, Rob, who recently got engaged, gets married. Everyone who was associated with Tom will miss him too. We will miss him greatly.

Early-day motion 1616 asks the Chancellor of the Exchequer to do away with the proposed 2p increase in the fuel price to be introduced in the autumn. We know that, as a result of the huge increase in oil prices recently, he has a windfall of more than £500 million to date. It has been estimated that if the Chancellor were to postpone the 2p increase further, it would cost him roughly £500 million. It is not as if the idea is uncosted. He did not expect to get that money in the first place, and surely we need some protection. Inflation is already dramatically on the rise, and with petrol at such high prices—£1.20 a litre—we cannot say when it is going to stop. Surely the Chancellor should not be adding to the woes of ordinary families in this country by clobbering them with another 2p increase.

In business questions, I mentioned the plight of public phone boxes, which are now rapidly disappearing throughout the country. I had the privilege of going to Dunsop Bridge in my constituency several years ago when BT unveiled the 100,000th public telephone box in the country. It was opened by Sir Ranulph Fiennes. BT chose Dunsop Bridge because Ordnance Survey says that that is where the centre of the United Kingdom would be if we squashed it all together. All the local school children were there, and they were excited by the opening of the phone box.

I just happened to be in my constituency one Sunday morning when a man turned up asking where certain villages were. We asked him what he was doing. He said, "I've come to check your telephone box because it's due to be taken away." I had a look at the list of public telephone boxes that are going to be removed from Ribble Valley, and there it was: Dunsop Bridge. The 100,000th telephone box is going to be taken away. *[Interruption.]* There is no sense of history. I said that it was sad when BT removed the red telephone boxes. I ran a bit of a campaign to get them retained. They are as important to the British character as red buses, and we look forward to the bendy ones going and the traditional ones coming back. Thank you, Boris—and Boris gets another name-check.

There is an important aspect to telephone boxes. Even though a lot of people have mobile phones, they do not work in many rural areas. The life of the batteries is still relatively short, and if a battery is dead, what are we supposed to do in an emergency? It is important that we get at least a proper network of public telephone boxes even if they do not make money. BT has a good community programme and supports a lot of community projects. I would have thought that that would be a tremendous community project. I would not mind if it put in the boxes a message saying: "This telephone box does not make any money. It is part of a community project, sponsored by British Telecom." I hope that BT will think again, look at the network that currently exists and not take these emergency facilities away from our country.

We have a rather thin House today. I suspect that had we held the debate in Crewe and Nantwich, more Members would have been present. However, I want to raise one more issue. We have discussed a good many taxes recently, but I want to talk about aviation duty, with which the Government propose to replace air passenger duty. It will be calculated on the basis of a combination of an aircraft's maximum take-off weight and a distance factor determined by the geographical band to which the aircraft flies. Aircraft weighing more than 5.7 tonnes and freight-only flights will be subject to the duty. It will be the first time that freight-only flights have been taxed. The duty will be applied to the aeroplane regardless of the type or number of passengers. Aeroplanes carry out phantom flights now and again, and that clearly needs to be addressed.

Aviation duty will have unintended consequences. This brings us back to the abolition of the 10p rate. The present Prime Minister—the then Chancellor—did not quite realise the consequences of the abolition of the 10p rate and the alterations higher up the band scale. I am sure that he did not sit down with his Cabinet colleagues and ask them "How can we hit the poorest hardest?", although had he done so, he would of course have ended up with the system that he introduced. What resulted from it was an unintended consequence, however; let us be generous to him in that regard at least.

I believe that aviation duty, as currently planned, with unduly penalise United Kingdom aviation, and will have significant perverse consequences for regional airports in particular. While taxing freight aircraft may seem attractive from an environmental point of view, it seems likely that the economic consequences will be entirely disproportionate. We know why the Government are doing this—it is for environmental reasons—but the unintended consequences will hit the British economy. A balance needs to be struck.

The Secretary of State for Transport has stated that changes to air passenger duty should

> "reflect the number of flights rather than passengers, strengthening incentives for airlines to use their planes as efficiently as possible."

I am sure we would all agree with that. However, in the 2003 White Paper "The Future of Air Transport", the Government acknowledged that

> "Britain's economy increasingly depends on air travel, for exports, tourism and inward investment."

That is the balance that must be considered in the introduction of any aviation tax: how to make aviation as efficient as possible without damaging the UK's national and regional economy.

In its response to the White Paper, South West of England Regional Development Agency said:

> "Airports can play an important part in regeneration, especially in areas where it is not appropriate for associated commercial development to take place immediately adjacent to the airport."

It added:

> "Air access to London and other European airports is central to the economic development prospects to many parts of the region".

In that context, Members may be interested to know that airports in the south-west employ about 3,500 people, and generate a further 5,600 jobs in the region.

I recently met representatives from Manchester airport, which many of my constituents use to fly either directly to another country or in transit through to London. From that meeting I gained the distinct impression that aviation duty would distort the international level playing field for UK freight. It is a logical conclusion that if freight departing from the UK attracts a tax that does not apply anywhere else in the world, businesses will go elsewhere. Manchester Airports Group estimates that aviation duty would damage UK competitiveness on a third of goods traded.

It is one thing for aviation duty to be paid on goods coming into and going out of the country, but many companies will be very intelligent about the countries to which they fly. For instance, if they have to fly to Charles de Gaulle airport in France or Schiphol in Amsterdam, they will do exactly that. The freight will then be taken off, and will travel by road. It has been estimated that that would result in thousands more lorries on the roads, transporting goods that would otherwise have gone to a regional airport somewhere or other. At Manchester airport alone, at least 1,144 scheduled cargo flights would become commercially unviable or at risk. That equates to about 220 jobs in the north-west region. I have also been informed that for East Midlands airport, which is the UK's largest pure freight hub, that figure is likely to exceed 850 jobs.

It must be considered that aviation duty has the potential to seriously undermine long-haul development from UK airports, because both freight customers and airlines can reduce their tax liability by taking an indirect route via another hub. That is exactly what air passengers would do, too. Whereas now many people would fly directly from a regional airport to, for instance, the United States of America or the middle east, if the duty for long-haul flights becomes prohibitive they will look to go via Schiphol or Charles de Gaulle to connect with Air France or KLM to fly the long-haul sector from there as that would reduce their tax liability. For a family of four, that liability could amount to a lot of money.

I am asking the Government to take on board the unintended consequences of this tax. Manchester airport also says that it will be turned into an enormous tax collector for the Government. Current air passenger duty costs are about 9p per £100 collected. Manchester airport estimates that with the new tax it would have to collect about £400 million a year on behalf of the Government and that it would cost it many thousands of pounds to start to collect that money. There could be a huge cost to the regional airports, and that could even damage the prospects of remaining in business for those that are marginally viable.

I also want the Minister to take the message back to the Secretary of State for Transport and the Chancellor that another unintended consequence could be that the new tax raises less money than the current air passenger duty as customers—both passengers and freight—will more intelligently work out how to complete their journeys. I understand the environmental reasons why the Government want to introduce this tax, but it is logical if we are to go down this route not to do it alone. Neighbouring countries would benefit from that—as indeed would the rest of the world, because if we start on this course alone the problems will start shifting around the world and people across the globe will act intelligently and start making different choices in air travel. We need to get everyone sitting down to work out how to have a proper aviation fuel tax that everybody throughout the world will implement, so that we can encourage airlines to be more fuel-efficient and do away with all the phantom flights made just to keep slots open. We would also not be penalising the freight industry in this country; doing so would lead to the loss of a number of jobs, as they would simply move to Holland and France.

Now is the time to do as I suggest. The consultation has just finished, and the Treasury and the Secretary of State for Transport should sit down and take a look at all the representations. Would it not be far better if they were more intelligent about this and came up with a policy that everybody could endorse and that would not have all these unintended consequences, rather than not listen, not learn, introduce this tax, lose all the jobs, lose a lot of taxation as well—they would not even get that tax revenue—and then afterwards have to change the policy simply to ensure that British industry was not damaged? Now is the time to do this. If the Government really are listening and learning, we will hear a change of policy from them forthwith.

3.8 pm

Mr. Richard Bacon (South Norfolk) (Con): I am pleased to have the opportunity to speak in this debate. I want to raise concerns about management practices at Manchester College of Arts and Technology—better known as MANCAT—and in particular to highlight concerns raised by former members of staff. MANCAT is one of the country's largest further education colleges, and from August it will merge with its neighbour, City College Manchester, and become even bigger. I am concerned that investigations into management practices at MANCAT have been hampered because MANCAT destroyed auditable documents—the National Audit Office is aware of that—and also reached financial settlements with certain ex-members of staff on condition that those former employees signed confidentiality clauses in their settlement agreements.

I have seen several documents, including some in which staff stated that they were under pressure from the college to falsify student attendance registers and other funding-related forms so that MANCAT could claim extra public money from the Learning and Skills Council. One key witness was planning to explain the extent of malpractice at an employment tribunal where she had been in the process of seeking redress for constructive dismissal. Instead, she was offered a financial settlement, to which she ultimately agreed, that was conditional on her signing a gagging clause. She was an administration manager who had blown the whistle in a letter to MANCAT's governing body. In that letter, she described in detail the active role she had played over three years in systematically falsifying paperwork at the request of MANCAT's senior management.

I am aware of three investigations into MANCAT's affairs, including ones by the National Audit Office and the Learning and Skills Council. None uncovered evidence of systematic fraud. But while the college denies any wrongdoing, it is hard to see how the public can have confidence in such exercises when potentially crucial paperwork has been destroyed and important witnesses have been gagged through confidentiality clauses in settlement agreements paid for with public money.

I fear that such gagging clauses are an all too common feature of employment arrangements when things go wrong. It is something that the Public Accounts Committee has deplored. We are talking about public money and it should not be used to shut people up. Moreover, I question whether such confidentiality clauses are legally valid if fraud, which is a criminal matter, has been alleged. Under the Public Interest Disclosure Act 1998, in the provision covering contractual duties of confidentiality, it states at section 43J:

> "Any provision in an agreement to which this section applies is void in so far as it purports to preclude the worker from making a protected disclosure."

The destruction of auditable documents came to light when the Learning and Skills Council's own investigator referred to it. In an e-mail, he wrote that an internal inquiry into allegations about paperwork relating to individual learners proved inconclusive because

> "it was reported that the college destroys all paper records after the ILR audit"—

that is the individual learner record audit—

> "and therefore there were no records to review to confirm or refute them."

He went on to point out that such conduct is contrary to the financial memorandum, which stipulates that such records should be kept for six years. Then, significantly, he added:

> "We have also since learned that they told ILR auditors that they do keep records for six years."

This would appear to be untrue.

The National Audit Office was aware that records had been destroyed, as I discovered on raising the matter in a session of the Public Accounts Committee on 18 April 2007, when the value for money director covering education and skills, Ms Angela Hands, said:

> "They were destroying records, and I would have to check with the Learning and Skills Council, but it was quite swift, the destruction of records. I think it was within a year."

Mr. Mark Haysom of the Learning and Skills Council added:

> "I cannot recall whether it was within a year, but it was certainly quicker than is practice today".

At one stage MANCAT's external auditors, PricewaterhouseCoopers, were called in after another member of staff, a lecturer at the college, raised concerns about the manipulation of registers in the ESOL department—English for speakers of other languages—which teaches basic English to foreigners. He was sacked by MANCAT, but after starting employment tribunal proceedings for unfair dismissal was paid off on condition that he signed a confidentiality agreement, which he did. PricewaterhouseCoopers discovered something that greatly disturbs me, which was that MANCAT's funding claim to the Learning and Skills Council was based on a centralised set of student registers that had not been produced or signed by tutors. Someone else had created them. And in no fewer than 36 out of 39 cases which PricewaterhouseCoopers examined in the ESOL department, more attendances were recorded on this secondary system than on the originals. It would defy all rules of probability if that were simply down to pure inaccuracy. It sounds much more likely to have been deliberate manipulation to achieve an apparently higher attendance than took place.

In all, the PricewaterhouseCoopers review of documents found 304 discrepancies. Although PricewaterhouseCoopers chose its words carefully, saying that

> "the discrepancies do not provide evidence of systematic register manipulation for the purpose of inflating the college funding claim",

none the less, it became clear that PricewaterhouseCoopers's dealings with the college were extremely fraught. Indeed, six months later the company resigned as external auditors to MANCAT. The PWC partner involved, Lee Childs, wrote to MANCAT's principal, Peter Tavernor, telling of strained relationships with senior staff, and stating that

> "frankly I don't believe it possible to audit effectively without trust from both sides."

I have already raised these matters verbally with the Learning and Skills Council's chief executive, Mark Haysom. In my view, the Learning and Skills Council and, indeed, the National Audit Office should examine the matter further. They should not be content not to challenge gagging orders in the face of such serious allegations. I also suggest that they have taken too lenient a view of the destruction of auditable documents. They could be far more rigorous in examining the affairs of MANCAT. It is important that public bodies do not believe that such behaviour will go unexamined.

In November 2003, the Learning and Skills Council had the opportunity to interview the principal witness after she first blew the whistle in her letter to governors. It knew of its contents long before she was paid off and gagged. Moreover, further details could still be tracked down by the Learning and Skills Council in a detailed statement that would have comprised her evidence at the employment tribunal, much of it corroborated in a statement from an ex-colleague.

Interestingly, the chairman of MANCAT's audit committee would have liked an external inquiry but he was overruled by the principal of the college and resigned as a result. It is unfortunate that the Learning and Skills Council allowed MANCAT to conduct an internal inquiry into such serious matters, bearing in mind that senior management were said to be involved. During the inquiry process, the whistleblower said she had learned that the original handwritten documents that she had used to create the falsified records had been "lost". However, I have seen copies.

Among the documents that I showed Mr. Haysom were a bundle of allegedly falsified student registers that appear to confirm the extent of the operation. They were all in one person's handwriting and covered a broad sweep of curriculum areas. That suggests that fraud was taking place on an industrial scale. Despite previous inquiries, I believe the public interest has been denied the rigorous investigation at MANCAT that it deserves. The events remain highly relevant both because of their seriousness and because the college's senior management team has remained more or less intact. Moreover, Peter Tavernor has recently been appointed principal of the new merged super college in Manchester, which will have an annual budget of about £130 million.

I am concerned about the ways in which MANCAT has handled taxpayers' money in the past. It would be in the public interest to know how much MANCAT has spent on legal costs and financial settlements involving all the ex-staff who made allegations of irregularities. Moreover, it would be helpful to know what MANCAT's bill was for legal fees and costs in another hugely expensive employment tribunal that stretched over 16 days. That case, which MANCAT lost, involved all five staff of the trade union education department, whom the tribunal ruled were unfairly dismissed for union activity. In my view, running a college on such costly and adversarial lines hardly equates to good value for money.

In conclusion, I believe there should be a thorough investigation of what appears to be institutionalised fraud at Manchester College of Arts and Technology.

3.18 pm

Mr. Shailesh Vara (North-West Cambridgeshire) (Con): I thank all the speakers who have taken part in today's debate. There were not as many Members as there normally are in debates on the Adjournment, but I suspect that that is probably something to do with the fact that some of our colleagues are in Crewe and Nantwich. That fact did not detract in any way from the quality of the speakers, nor from the variety of subjects that were covered.

We started off with a speech by the hon. Member for North Durham (Mr. Jones). At the outset, let me add to the various tributes that have been paid to Tom Burlison and express my sympathies and condolences to his family and friends.

The hon. Member for North Durham made a very thoroughly researched speech, in which he raised some very serious issues about the Durham National Union of Mineworkers. He also referred to the solicitors' firm Thompsons, and I wish him well in his attempts to get to the bottom of what is an ongoing problem. I suggest that he might consider making a complaint about Thompsons to the Law Society, as it has a special division that deals with concerns about legal practices.

The hon. Member for Sutton and Cheam (Mr. Burstow) made a very thoughtful speech. He put forward a strong case against the closure of Henderson hospital, which has rendered careful service to its community over some 60 years. I hope that the Deputy Leader of the House will pass on his concerns to the Department of Health. I also hope that she will pass on to that Department his very worrying remarks about the drugs used on vulnerable adults and senior citizens.

The hon. Member for Thurrock (Andrew Mackinlay) made a typically robust and forthright speech, which included a very lively contribution about our security and intelligence services. The fact that he raised some very interesting points was reflected in the number of interventions that he took. At one point, the number of interventions was so vast that I thought that this debate would continue to the usual 6 o'clock deadline, but fortunately they ceased after a while. May I also commend the hon. Gentleman for his excellent good sense in not supporting the proposal on 42 days' detention about which the Government are bullying everyone else in his party to accept? I hope that he will succeed in persuading a lot of his colleagues that detaining people for 42 days would be far too long.

The hon. Member for Thurrock also trailed his memoirs. I very much hope that publishers out there have taken note and are taking out their cheque books to make an advance payment.

My hon. Friend the Member for Blaby (Mr. Robathan) spoke forcefully, as always, on behalf of his constituents. He rightly spoke of their concern about the proposed eco-town in Pembury, and I share his concern over the future of Lutterworth hospital. He also very eloquently summed up the public's anger with this Government: they say that they are listening, but they do not seem to have heard much so far.

The hon. Member for Blaenau Gwent (Mr. Davies) spoke passionately about his constituency concerns, which included housing and associated matters such as shared equity and housing associations. He also spoke about the very real problems of the empty business

[Mr. Shailesh Vara]

rates taxes, and I hope that the Government will take on board the concerns that he expressed on behalf of his constituents.

My hon. Friend the Member for New Forest, East (Dr. Lewis) made a powerful speech about the disclosure of Members' addresses. His personal experiences serve as a strong warning about the potential dangers that we all face. I for one believe—as I think that most hon. Members do—that there should be the utmost transparency but, while I recognise that we are public figures, I think that we are entitled to some of the courtesies that are due to all citizens. The security of our addresses is certainly one of those courtesies. We are public figures, but we are also entitled to some of the privileges of the ordinary citizen.

Mr. Bacon: It is right and proper to urge transparency when public money such as the additional cost allowance is being spent, but does my hon. Friend agree that transparency about the disclosure of home addresses is a different matter?

Mr. Vara: I agree entirely: my hon. Friend is right to say that transparency is of the utmost importance—we all agree about that—but that a distinction must be made. Society has become a lot more hostile towards western countries, especially Britain and America, and the security of the people who speak about such matters in debates in this House deserves to be considered very seriously. I wish my hon. Friend the Member for New Forest, East well in his campaign to ensure some sense of secrecy regarding Members' addresses.

My hon. Friend the Member for Bexleyheath and Crayford (Mr. Evennett) made an excellent speech, as he always does, and spoke with great diligence on behalf of his constituents. He very properly pointed out that crime and antisocial behaviour are linked with the horrendous figures on drugs and alcohol, and presented some startling facts about that cocktail of drugs, alcohol, crime and antisocial behaviour. I agree with him that, with our hon. Friend the Member for Henley (Mr. Johnson) at the helm of London now, it is to be hoped that—and I am pretty confident that—we will see an improvement in those figures. He is certainly making a start by banning alcohol on public transport in London. That is eminently sensible, and it seems absurd that it was not done many years before. My hon. Friend the Member for Bexleyheath and Crayford also discussed the rising cost of living—an issue that affects not only his constituents but people throughout the country. I urge the Deputy Leader of the House to pass on that message to her fellow Front Benchers.

My hon. Friend the Member for Ribble Valley (Mr. Evans) made a very forceful speech and echoed the sentiments of my hon. Friend the Member for Bexleyheath and Crayford when he spoke about the rising cost of living. He gave some very helpful advice to the Chancellor of the Exchequer, who I hope will take it on board. He seems not to have taken on board much from many people so far, but I hope that he will accept that advice, given that he has the recess to think it through. I also agree with my hon. Friend the Member for Ribble Valley that there is a very strong argument for the retention of public telephone boxes. I wish him well in his campaign in that regard.

We concluded with a very measured speech from my hon. Friend the Member for South Norfolk (Mr. Bacon), who gave us some disturbing details on the mismanagement of a particular college. The manipulation of figures, the falsifying of attendances and the 300 or so discrepancies picked up by PricewaterhouseCoopers lead to the conclusion that a detailed inquiry is required. I wish my hon. Friend well in trying to get a thorough and detailed inquiry.

On that note, Madam Deputy Speaker, all that remains is for me to wish you a very happy recess, along with all Members and their staff and all the staff who serve us so well in the House. I suspect that, given the enormous footwork that some Members will have undertaken in the previous weeks in Crewe and Nantwich, the recess is very well deserved.

3.27 pm

The Deputy Leader of the House of Commons (Helen Goodman): It is of course a great pleasure to take part in this afternoon's Adjournment debate. It is a particular pleasure to follow the hon. Member for North-West Cambridgeshire (Mr. Vara), who gave his usual clear and urbane speech.

The debate was opened by my hon. Friend the Member for North Durham (Mr. Jones), but given that what he said ties in with some things that I want to say about my own constituency, I shall begin by responding to the remarks of the hon. Member for Sutton and Cheam (Mr. Burstow). He began by raising the very important issue of the treatment of people with serious mental health problems, and in particular his concerns about the Henderson hospital. He is right. It is important that the financial management of the NHS produce rational decisions, but I should remind him that 31 per cent. more in the way of resources is going into mental health than was the case in 1996. I also want to reassure him that the guidance to medical practitioners is that anti-psychotic drugs must be used only in appropriate medical circumstances.

The hon. Gentleman also talked about public housing and the financial management system in housing departments. I understand that a review of council housing finance is under way and will report in September 2009, but I will draw his remarks to the attention of the Minister for Housing, so that she can take account of them in the course of that review.

Tom Brake (Carshalton and Wallington) (LD): Will the Deputy Leader of the House ask the Minister for Housing whether she will allow SFTRA—the Southern Federation of Tenants and Residents Associations—to participate in some of the working groups that are being set up to consider the issue?

Helen Goodman: I will, of course, ensure that the Minister for Housing is made aware of that representation.

My hon. Friend the Member for Thurrock (Andrew Mackinlay)—

Mr. Robathan: Where is he?

Helen Goodman: As the hon. Gentleman says, it is—

Mr. Evans: In the light of what the hon. Member for Thurrock (Andrew Mackinlay) said and the fact that he is always looking over his shoulder—perhaps at Ministers or even at the Whips, given some of his independent views—will the Deputy Leader of the House tell us whether she knows his whereabouts and at least that he is safe and sound?

Helen Goodman: My hon. Friend the Whip assures me that the Whips Office has nothing to do with my hon. Friend's disappearance this afternoon. I am disappointed that he is not here because he linked his concerns about Parliament's oversight of the security and intelligence services to his concerns about 42 days' detention. I hope very much that when he reads what I have to say in *Hansard*, he will be persuaded of why he should vote with the Government on 42 days. He may not be aware of the fact that the Lord Chancellor has made proposals in the context of the draft Constitutional Renewal Bill to make a radical change to the way that the security services are overseen and to enable the statutory Committee that does such work to operate differently. In particular, the names submitted in the nomination process will come before the House, before the Prime Minister makes the appointments. That is a significant improvement.

There will also be greater transparency because some briefings will be held in public. The Committee will be able to appoint investigators if it wishes to do so. Debates will be held on the Intelligence and Security Committee's annual reports in both Houses, not just the Commons, and those debates will be opened by the Chairman of that Committee. So I hope my hon. Friend will feel reassured that we are moving forward, opening up and making accountable the process in a way that is suitable for the 21st century.

My hon. Friend also spoke about the way that the Data Protection Act 1998 operates. I am not sure whether he has had time to look at the Government's draft legislative programme, which includes a communications data Bill that will help to ensure that crucial capabilities in the use of communications data for counter-terrorism continue to be available, but the powers will be subject to strict safeguards to ensure that there is the right balance between privacy and protecting the public.

My hon. Friend raised the case of Wouter Basson, and I will refer his remarks to the Home Office, which is the responsible Department.

The hon. Member for Blaby (Mr. Robathan) spoke about a wide variety of issues. He spoke first about eco-towns and the demand for extra housing. He is clearly not aware of the fact that two thirds of the demand for new housing is due to the fact that we in this country are living in smaller households. More single-person households mean that we need to change and grow the housing stock.

Mr. Robathan: I am perfectly well aware of the changing lifestyles of the British people. However, I should like to ask the Deputy Leader of the House—she obviously knows a great deal about this—how many small households and flats are intended for Pennbury in Leicestershire?

Helen Goodman: Well, I cannot possibly answer that question because, as the hon. Gentleman is well aware, there is a consultation going on about all the eco-towns proposed by the Government. From what he said earlier, I am sure he will take part in that consultation.

The hon. Gentleman seemed to have a rather ambivalent attitude towards great crested newts. He asserted that he loved them, but he was not prepared to see the Government take the steps that they must take to implement the habitats directive.

The hon. Gentleman spoke about the reconfiguration of hospital beds in his area, and in particular about Lutterworth hospital. My understanding is that the future of the hospital is being developed with a group of local clinicians, staff, PCT representatives, and adult social care, patient and public representatives, so his constituents should have a good opportunity to make their views clear in that consultation.

Finally, the hon. Gentleman told us about a survey of one part of his constituency and reflected back some of the issues that had been raised with him. One of those was fuel poverty, about which he claimed to be concerned. I therefore do not understand why he and the Tory party opposed the introduction of the winter fuel allowance by the Government, and its extension.

The hon. Gentleman raised the issue of immigration and its impact on low-paid workers. I hope he welcomed the statement from the Department for Business, Enterprise and Regulatory Reform on temporary and agency workers.

Mr. Robathan: I am grateful to the Minister, who is delivering her speech with great good humour. First, I do not think the Conservative party opposed the winter fuel allowance. Secondly, the point is that the policies are not working. That is why we criticise them. There is increasing fuel poverty, as we heard at DBERR questions only this morning, and immigration is patently out of control, as even the Labour party's supporters are saying.

Helen Goodman: The hon. Gentleman is not correct about fuel poverty. There is less fuel poverty now than there was 10 years ago because the Government introduced the winter fuel allowance and lifted 1 million pensioners out of pensioner poverty. That was the group most prone to suffer from fuel poverty. Moreover, the Warm Front programme and the programmes for insulation, new boilers and new radiators are running at an investment rate of £600 million a year. That means that not only are we lifting people out of fuel poverty and saving on their fuel bills, but we are making a sensible contribution to combating climate change.

Finally, on immigration, I hope the hon. Gentleman will support the Government's points-based system, which is to be introduced shortly.

The hon. Member for Blaenau Gwent (Mr. Davies) spoke about council housing and his desire to see the council housing in his constituency refurbished. He questioned why it was necessary to put the management out to an arm's length management organisation. Let me take the hon. Gentleman into my confidence. I questioned the policy until I saw the way it operated in my constituency. One of my local authorities, Wear Valley, has an ALMO, and the quality of management and the level of investment have improved out of all

[Helen Goodman]

proportion. I urge the hon. Gentleman to look at the outcomes of the policy and bear in mind the fact that by 2010, 95 per cent. of homes will have reached the decent homes standard in only two years as a result of the policy.

The hon. Member for New Forest, East (Dr. Lewis) made a serious speech about hon. Members' rights and privileges. He pointed to the fact that those rights and privileges are given to MPs not as individuals but in their role as Members of this House. He is concerned about the security of individual hon. Members and pointed to the importance of hon. Members being able to speak and vote honestly and according to their consciences without fear for their safety or that of their families. He stated that it is important to consider hon. Members' security when they are not in the Palace of Westminster and that the security situation of hon. Members is both uncertain and unpredictable.

Dr. Julian Lewis: I am sorry to take up more time, but a number of hon. Members have raised an additional point: the publication of constituency addresses, which will occur in a number of cases, could be described as a burglars charter, because hon. Members spend part of the week in their constituencies and a lot of their week at Westminster. If some bright spark were to collate the constituency addresses, whether as a result of the freedom of information request or any other investigations that they may see fit to pursue, we would be advertising the fact that lots of properties are empty at certain times of the week. I wonder what the insurance companies will say about that when we renew our premiums—perhaps the public purse would have to step in that respect, too.

Helen Goodman: The hon. Gentleman has made a valid point. The other people who will be affected by the measure are hon. Members' neighbours, which is also a factor.

The hon. Member for Bexleyheath and Crayford (Mr. Evennett) made a wide-ranging speech. He discussed post offices in his constituency, the cost of living and alcohol-related crime. I agree that alcohol-related crime is a serious problem that needs to be addressed. In February, we conducted a national confiscation campaign, which confiscated 40,000 pints of alcohol. However, the hon. Gentleman's remarks were not wholly consistent with his behaviour, because only a few days ago Conservative Members voted against alcohol disorder zones, which the Government are trying to introduce.

The hon. Gentleman made a series of remarks about the cost of living, the interaction between food and fuel prices and the tax system. The tax system is important and concerns all our constituents, so I want to address it thoroughly and seriously. The Chancellor of the Exchequer announced changes to the tax system 15 months ago in order to simplify the system. As the hon. Gentleman knows, the basic tax rate is now lower than it has been for 75 years. The offsetting measures that were introduced at that time involved the tax credit system for families with children and raising the personal tax allowance for old-age pensioners. As he knows, that left a large number of people on low incomes who did not fall into either of those categories as losers. As he has said, in the intervening period food and fuel prices have increased. That means that the impact of those changes is different from what could have been foreseen 15 months ago, when the decision was taken. The final package that the Chancellor has announced to raise personal allowances for everybody on the basic tax rate was put together because everybody is under this pressure from food and fuel prices.

The hon. Gentleman mentioned taxes on motoring. I have some statistics on those, although I cannot find them now. I shall write to him, however, because, interestingly, the numbers show that the level of revenue coming to the Exchequer from petrol tax is, contrary to popular belief, lower than it was 10 years ago. Prices are increasing not because the Exchequer is, in some sense, being greedy—that is often the characterisation—but because world prices in the oil markets and the international commodity markets are increasing.

The hon. Member for Ribble Valley (Mr. Evans) discussed telephone boxes. I am sympathetic to what he says about them because I, too, have a rural constituency, and I know that it is not possible to use mobile phones everywhere in such constituencies. I shall certainly pass his remarks to my colleagues in the Department for Business, Enterprise and Regulatory Reform. It would be easier for us to tackle the issue if the telephone industry were in public ownership, but of course, he belongs to the party that privatised that industry. He also rightly said it is important that we structure aviation duty properly and take an international approach to it. That is why this Government have been very energetic in trying to get aviation and shipping into the EU's trading system, and those negotiations are ongoing.

I have had the pleasure of serving with the hon. Member for South Norfolk (Mr. Bacon) on the Public Accounts Committee. His thoroughness in exposing the particular problem that he detailed is of exactly the sort that makes that Committee one of this House's most effective. I shall ensure that his remarks are passed to my colleagues in the Department for Innovation, Universities and Skills.

I should like to return to the speech made by my hon. Friend the Member for North Durham at the beginning of the debate. He spoke about the miners' compensation scheme. He and I served together on the Public Bill Committee that considered what became the Legal Services Act 2007, which was introduced to address the problem. It will address many of the issues that he has so energetically been raising over a long period. It is because this Government are concerned about miners who suffer from respiratory and vibration problems resulting from their work in the pits that £3.8 billion has been spent on miners' compensation. I look forward to seeing him at the Durham miners' gala on the second Saturday in July, when we can celebrate those benefits.

My hon. Friend also spoke about Stanley town council. The town and parish councils in County Durham of course do excellent work. I would particularly like to take the opportunity to congratulate those involved in building the Sacriston health centre on their carbon-neutral building. My hon. Friend talked about the desire among many in the north-east for the Lindisfarne Gospels to be brought back to Durham; as a Durham Member, I am obviously very sympathetic to that.

Hon. Members could have a very enjoyable time in County Durham during the Whitsun recess. They could see many beautiful and excellent things. For example, there is a very good locomotion museum in Shildon in my constituency. It is where the first steam engine was built. Some 150,000 people a year come to the museum, which offers a great family day out. At the Bowes museum in Barnard castle there is a particularly fine exhibition of the pictures of Alfred Sisley this summer. It is the first Sisley retrospective for 30 years, and hon. Members would enjoy it very much if they came.

Mr. Bacon: May I suggest that if people were unable to get as far as County Durham, they might come to my constituency, where at the Bressingham steam museum they would find one of the greatest steam engines, the Royal Scot, which has been restored with lottery money? They could then go over the border into Suffolk and have a drink at the "Sir Alfred Munnings" pub to celebrate that famous painter.

Helen Goodman: They could indeed.

My hon. Friend the Member for North Durham also talked about the development of the economy in the north-east; I agree with him. Sometimes it is difficult for people to see what is going on in the economy. The pattern at the moment is that jobs in large manufacturing companies are disappearing; obviously, that is serious for the people who work in those factories. However, at the same time, other investments, made by small and medium-sized firms, are coming in.

The other significant point is that, as the Secretary of State for Business, Enterprise and Regulatory Reform was saying earlier, we now have record levels of inward investment in this country because our business climate is so good for investment from overseas. The County Durham Development Company, for example, shows that in the past decade the county has benefited from 181 separate inward investment projects with employers from the United States, Japan, Taiwan, Ireland, Iceland and Germany. All have put money in, and that has created 6,000 jobs over the same period. I wanted to reinforce my hon. Friend's points.

Finally, I thank you, Madam Deputy Speaker, and all the staff of the House and the officials who support me. I wish you, them and everybody else a restful and enjoyable Whitsun recess.

Mr. Sadiq Khan (Tooting) (Lab): I beg to ask leave to withdraw the motion.

Motion, by leave, withdrawn.

Mr. Mark Petre

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Khan.]*

3.53 pm

Tom Brake (Carshalton and Wallington) (LD): I am pleased to have secured this important debate on the tragic events that took place off the coast of the Isle of Man on 3 and 4 June 2005 and led to the death of Mark Petre, the son of my constituents Geoff and Irene Petre, and of Keith Rice, the son of Brian and Pam Rice. I would like to use this opportunity to extend our condolences to the Petres and the Rices and their families for events that I am sure have had a permanent and distressing impact on their lives. Both men were on the Royal Fleet Auxiliary vessel Orangeleaf, and I would like to set out the chronology of the events on those ill-fated days. Before I do, however, I would like to confirm that my office has spoken to the coroner's office in the Isle of Man, which will be dealing with this case in two days' time. It is comfortable with the debate, providing that I do not insult the coroner or the Isle of Man, and I intend doing neither. Therefore, the coroner has no issue with us debating the matter fully.

I understand that the Isle of Man coroner has the power to issue a certificate of finding on Saturday, which is the certificate that the coroner issues following an inquest. That certificate is then forwarded to the registrar of births, deaths and marriages so that it can issue a death certificate and register the death. I understand that once the death certificate has been issued, there is no reason why the Petres cannot claim any death benefit to which they may be entitled following the death of their son. I hope that the Minister can confirm that my understanding is correct, and that they do not face another four years of waiting for the death to be confirmed.

Returning to the chronology, RFA Orangeleaf was anchored off Douglas in the Isle of Man in the afternoon of Friday 3 June 2005 for two days' rest and recreation prior to a naval exercise beginning on 6 June 2005. The ship was placed under in-port rules. Shore leave was granted to 21 of the ship's personnel; they went ashore on the liberty boat from the Orangeleaf at 1800 hours, and returned to the ship by the liberty boat at 2300 hours when shore leave expired. All personnel were accounted for by several of the ship's officers as they came aboard the Orangeleaf. It is confirmed that alcohol had been consumed by many of the men but all were assessed by the officers in charge as being capable, and none exhibited any sign of concern. The chief officer recalled that Mark Petre and Keith Rice were both coherent and not stumbling around or the worse for alcohol.

It is confirmed that, on their return on board, several of the crew, including Mark Petre and his colleague Keith Rice, obtained—in breach of the rules—a final drink from the crew bar because there was an unofficial spare key in circulation that allowed access to bar. Games in the bar area followed, and a wager was made. A third crew member, Ryan Poulton, was also involved, and all three men climbed through the emergency escape porthole on to the port side of No. 1 deck and sat talking on the safety rail under No. 2 lifeboat.

[Tom Brake]

It is suggested that Mr. Rice then challenged Mr. Petre and Mr. Poulton to jump into the sea from under No. 2 lifeboat, swim around the stern and climb back on board via the pontoon on the starboard side. That challenge was declined by both men. At 0014 hours—it was now 4 June 2005—Mr. Poulton received a call on his mobile phone and returned to his cabin to continue that conversation in private, and then fell asleep there. That was the last reported sighting of Mr. Petre and Mr. Rice.

Later that morning, the night watchman checked the ship's anchor. On his way back to the bridge, he noticed a pair of shoes under No. 1 lifeboat on the starboard side. He reported his finding to the officer of the watch, who advised the chief officer, and an investigation was then started. The captain was contacted at 0110 hours, and at 0156 hours, the ship was called to emergency stations to carry out a full muster of the ship's company. That muster was completed at 0215 hours and it became apparent that Mr. Petre and Mr. Rice were missing. The chief officer ordered an immediate, complete ship search. A few minutes later, at 0219 hours, the chief officer contacted Douglas harbour authorities and informed them of the possibility that two crew members were missing. The ship search was complete by 0230 hours. The Douglas lifeboat was launched to make an initial search at 0238 hours and, at 0330 hours, a helicopter fitted with infrared search cameras arrived from RAF Valley. A second lifeboat from Port St. Mary was on the scene from sunrise.

The air search was called off at 0804 hours because of awareness about how long people can survive in water. The surface search was suspended at 1206 hours. The coastline was searched using dog teams until 2000 hours and the Royal Fleet Auxiliary ship Fort Austin was anchored off Douglas at 0750 hours and continued to search the inshore waters with her own lifeboat until late afternoon.

Mr. Rice's body was found on 27 June 2005. Until recently, no trace had been found of Mr. Petre. However, a fishing boat recovered a bone, which was subsequently DNA tested and confirmation was received of a match to Mr. Petre.

Two inquests have already taken place into the death of Mr. Rice because his body was found. One took place on 21 April 2006 on the Isle of Man and, to conform with English legal requirements, a further one took place on 30 June 2006 in the north-east Kent district coroner's court.

It is important to state that, contrary to newspaper reports, the inquests found no evidence that all-day drinking had taken place or that the men had tried to swim round the Orangeleaf. Despite what the newspapers wrote, no evidence of drinking was found. The exact circumstances of the deaths remain unknown.

The Petres were notified on 24 August 2005 that a board of inquiry report had been completed into their son's death. I tried to secure a copy of that report for the debate, but I was informed:

> "Although it is now normal practice for us to publish BOI reports on the MOD publication scheme, for historieal ones (such as this), I am afraid that you need to formally request a copy of the report under the FOI Act, which would be considered and the report redacted"—

with names and places deleted—

> "as appropriate (and then placed on the publication scheme)."

Will the Under-Secretary of State for Defence investigate why that should be the case? Why should it be necessary to make a freedom of information request to access the report? I know that a redacted copy exists—indeed, I have seen extracts from it. A redacted copy was passed to the next of kin on whose behalf I am raising the matter in the House. Why, therefore, is it necessary for me to make a freedom of information request to secure a copy of the report? I have the family's authority to raise the matter and a freedom of information request is unnecessary. I hope that the Under-Secretary can respond to that—if not now, perhaps later, in writing. If there is no reason for making a freedom of information request, I hope that, if other hon. Members have to raise similar cases, they will not be told that such a request must be made.

We know what the key recommendations from the board of inquiry were because I tabled a written question about the matter, which was answered on 21 May 2007. I asked the Secretary of State for Defence

> "if he will make a statement on progress with the recommendations of the Board of Inquiry into the loss of SGIA Mark Petre…and…Keith Rice…from"

RFA Orangeleaf. The then Minister of State, the right hon. Member for East Kilbride, Strathaven and Lesmahagow (Mr. Ingram), replied:

> "The Board of Inquiry…made seven recommendations".

The recommendations were then listed as follows:

> "The accommodation ladder should be raised following the last liberty boat run;
>
> The inherent dangers of a man over board incident should remain the subject of education and safety awareness;
>
> Flotilla guidance on the control, inspection and validation of bar stock and keys should be published;
>
> The RFA drug and alcohol policy and rules controlling ships' bars should recognise cases of ships at anchor;
>
> Command teams should make arrangements as they feel necessary to provide additional supervision when large numbers of crew members have been consuming alcohol ashore;
>
> Royal Fleet Auxiliary Human Resources and Joint Casualty and Compassionate Centre should meet to establish whether or not casualty and informing procedures should be integrated or inter related;
>
> Incident narratives should be kept as a matter of routine to aid investigations."

The final line of the answer confirmed:

> "All these recommendations have now been adopted."—[*Official Report*, 21 May 2007; Vol. 460, c. 1053W.]

I am sure that is true, but it is worth pursuing those points and trying to get some more information from the Minister. That simple final sentence does not explain in what way the recommendations have been adopted.

Let me address the first recommendation that the accommodation ladder should be pulled up after the last liberty boat run of the day. I hope that the Minister will tell me—not necessarily immediately, but perhaps later in writing—what written guidance is being issued to ensure that that happens as a matter of course. I could ask the same about the second recommendation that the inherent danger associated with a man being over board, whether voluntarily or accidentally, should continue to be the subject of education and be linked to safety awareness. That recommendation has been implemented, but in what way? I should like an answer from the Minister.

The third recommendation, which related to access to alcohol outside of bar hours, stated:

> "Flotilla guidance on the control, inspection and validation of bar stock and keys should be published".

I hope that the Minister will provide me with details of that guidance. I do not believe that there can be any reasons of security or of freedom of information that could prevent me from seeing precisely what additional guidance has been issued as a result of the review.

On the fourth recommendation, there has been a minor revision to the RFA drug and alcohol policy because it did not cover the unspecified case of a ship at anchor. I hope that the Minister will provide documentation to show that that change has been implemented.

The fifth recommendation was that command teams should take cognisance of circumstances in which large numbers of crew members have been drinking alcohol ashore and should make such arrangements as they feel necessary to provide additional supervision and encouragement to avoid inappropriate behaviour when crew members return. Again, that recommendation has been implemented, but in what way? I am sure that command teams are taking cognisance of circumstances in which large numbers of crew members have been on shore leave, but what are they doing as a result of that cognisance? How are they doing things differently?

As a result of the sixth recommendation, the Royal Fleet Auxiliary human resources and the joint casualty and compassionate centre were to meet and discuss whether their procedures should be integrated or interrelated. Will the Minister provide documentation to explain the findings of that meeting and how procedures have been adjusted as a result?

The final recommendation stated:

> "Incident narratives should be kept as a matter of routine".

People should be encouraged to take contemporaneous notes of incidents to support future investigations. I assume that some guidance has been issued to support that, which will go beyond simply encouraging that to happen and which will ensure that written procedures are available and produced in a consistent manner. I hope that more detail will be forthcoming on that issue.

I welcome the fact that the recommendations have been acted on, and I hope that more detailed information will shortly be forthcoming to explain exactly how they have been implemented. However, the recommendations that were identified by the board of inquiry are not an exhaustive list of the changes that could be made. Mr. and Mrs. Petre have made a number of other suggestions for improving health and safety duty-of-care procedures, and I would welcome the Minister's comments on them.

Mr. and Mrs. Petre believe that there should be clear written instructions for the duty officer regarding the welfare of personnel returning from shore leave, particularly when alcohol has been consumed. It is possible that that has been covered by the fifth recommendation from the board of inquiry, but perhaps that needs to be spelled out more clearly. Their second suggestion is that clear instructions for dealing with personnel who return after drinking should be made available to duty officers. I think that there was an issue with the duty officer not being aware that such instructions existed. Will the Minister tell me whether that is covered in that recommendation, or whether more work needs to be done on that?

The third suggestion involves increasing the frequency of night deck patrols and/or the possibility of making more or better use of CCTV on deck areas at night, or in circumstances in which a significant number of a ship's personnel have been on shore leave and there might be a need for additional care. Again, that might be an issue that has been addressed by the fifth recommendation, but I would ask the Minister to confirm—in writing, if necessary—whether it was considered and deemed to be a matter that the Government wanted to pursue.

A fourth suggestion was that a crash boat crew should be rested, alcohol free and on standby at all times, and that those boats should be regularly maintained and properly equipped with high-powered, working searchlights. The final suggestion was that the bar keys should be held by an officer, rather than by a rating bar committee member. Again, it is possible that that issue has already been addressed in the third and fourth recommendations. I hope that the Minister will be able to respond to these additional proposals—if not now, perhaps later and in writing. I am sure that he will make it clear when he responds to the debate whether that will be the case.

We are in the fortunate position today of having sufficient time for the Minister to respond in detail to all the points that have been raised. Most, if not all, of those points were raised with him in advance, to give him time to consider his response. Having sufficient time to address serious matters is a luxury that we do not often have in this place. Also, we have confirmation from the coroner on the Isle of Man that there is no reason for the concerns that I have highlighted today not to receive a full and open hearing. I hope, therefore, that when the Minister responds, he will be able to respond fully to all the points that I have raised, and will not feel in any way constrained.

The tragedy experienced by these families, and the pain that they will feel for the rest of their lives following the unnatural and early loss of their sons, cannot be undone. However, a clear indication from the Government that they will implement policies to reduce the likelihood of other families going through the same trauma will go some way towards alleviating their pain. I hope that the Minister will be able to give us such an indication today.

4.14 pm

The Parliamentary Under-Secretary of State for Defence (Derek Twigg): I congratulate the hon. Member for Carshalton and Wallington (Tom Brake) on securing this debate. I know he has taken a great personal interest in this matter and he has articulated clearly the background to this sad case, also raising the difficulties experienced in expediting the death benefit payment.

The death of Mark Petre was a tragic event and our condolences go to his family and friends. I should also like to take the opportunity to express my sympathy to the friends and family of Keith Rice, who also died on the same night.

[Derek Twigg]

For the record, I may repeat some of what the hon. Gentleman has already said, but it is important for a Minister speaking for the Government to do so. As we know, Royal Fleet Auxiliary Orangeleaf was anchored off Douglas, Isle of Man, on the afternoon of 3 June 2005. The commanding officer planned to allow two days of rest and recreation prior to participating in an exercise. As we now know, an incident-free time ashore took place that evening and all the ship's company had returned to the ship by the time of the last liberty boat at 11.30 that night. Several members of the crew gathered in the recreation area and several dares and wagers were made. Seaman grade 1A, Mark Petre, and leading hand cook, Keith Rice, remained behind in the bar while the rest of the ship's company retired.

As the hon. Gentleman knows, during routine rounds, Petre and Rice were subsequently found to be missing. An area search operation with the Liverpool coast guard co-ordinating air and surface assets failed to locate the two men. A body was recovered a few weeks later and was identified as that of Keith Rice, but Mark Petre's body has not been recovered.

A board of inquiry was convened on 8 June 2005, five days after the event. The president was Captain I. E. Johnson, RFA, assisted by a Royal Navy commander and a civil servant. It reported one month later on 8 July 2005. The board's primary conclusion was that this was a tragic accident, the balance of probability suggesting that the two were lost, presumed drowned, following a dare to swim around the ship. A copy of the report was given to the Petre and Rice families in August 2005.

As has already been mentioned, following a written question from the hon. Gentleman, the then Minister of State for the Armed Forces, my right hon. Friend the Member for East Kilbride, Strathaven and Lesmahagow (Mr. Ingram), reported to the House on 2 May 2007 that the seven recommendations made by the board had been adopted.

The hon. Gentleman asked specifically about health and safety issues. Of course, the reason why the board of inquiry was established was to ensure that we learned whatever lessons there were. The report included, for example, the recommendation that command teams should make arrangements as they feel necessary to provide additional supervision when large numbers of crew members have been consuming alcohol ashore. As I have said, all the board's recommendations were accepted in full.

Although Mark Petre's body has never been recovered, a fishing boat from Portavogie, Northern Ireland, recently recovered a human bone from the Irish sea, which subsequent DNA testing confirmed to be Mark Petre's. As a result of that identification, Her Majesty's Attorney-General, Isle of Man, wrote to the Isle of Man coroner, directing him to hold an inquest, which will take place in Douglas court house this Saturday, 24 May. I am sure that the hon. Gentleman will understand that it would be wrong for me to anticipate the outcome, but I hope that it will enable the coroner formally to confirm the death of Mark Petre and the likely circumstances surrounding this tragic event. The coroner's certificate of findings will allow the death to be registered formally and a death certificate to be issued.

The hon. Gentleman made specific points about the payment of death benefit retrospectively. Death benefit is a lump sum repaid on presentation of the death certificate. It will not be retrospective, but will be paid to the death benefit nominee, Mark Petre's father, Mr. Geoffrey Petre. I recognise the hon. Gentleman's concerns about issues surrounding the death certificate, which he has made clear previously. The matter has also been the subject of correspondence with the national secretary of the Prospect trade union. The decision not to pay death benefit in the absence of a death certificate was endorsed on appeal, but as I have indicated, I would hope that this Saturday's inquest will enable us to resolve the issue very shortly.

Throughout this difficult time, my Department has maintained contact with the Petre family and sought to provide them with the support they require. For the forthcoming inquest, Mark's parents will be escorted by a senior officer of the RFA and the RFA chaplain.

The House needs to be aware that a memorial trophy in memory of Mark Petre is awarded twice a year to the best RFA seamanship trainee attending the Royal Navy training establishment on HMS Raleigh. A similar trophy in memory of Keith Rice is issued annually to the best RFA steward trainee. Mr. and Mrs. Petre made the inaugural presentation of the Petre award on 24 November 2006. Those prizes recognise achievement among trainees, but also serve to remind all RFA seafarers of the many dangers of the sea.

The hon. Gentleman asked a number of questions. I can go into them in a bit more detail because we have enough time, although I apologise if I cannot answer them all.

Tom Brake: I did not necessarily expect the Minister to answer all those questions today. Unfortunately, I am familiar with the way in which Adjournment debates work and Members raising a host of issues to which there is often no feedback. Can I secure an undertaking from him that his staff will go through my speech, pick up the specific questions that I have asked and respond in writing?

Derek Twigg: I am sorry if that has happened to the hon. Gentleman, but that is not how I work. I can assure him, as I think my record demonstrates, that I respond to Members on any points that I have not been able to deal with. However, in the time available I can go through a number of the issues raised, but I will come back to him in the near future to deal with anything that I do not answer or which he mentions in any supplementary questions he might have.

Raising the accommodation ladder following the last liberty boat is now a routine procedure for all RFA vessels. The inherent dangers of a man overboard incident should remain the subject of education and safety awareness. That is ongoing, with regular man overboard drills, and exercises conducted as part of a larger continuing training programme. The risk of falling overboard is one of the many risks associated with going to sea and is covered by a comprehensive health and safety regime.

On the suggestion that flotilla guidance on the control, inspection and validation of bar stock and keys should be published, instructions are in place and are published within the Royal Fleet Auxiliary Service regulatory document BR875. The executive officer issues instructions for the operation and control of the bars, detailing opening and closing times, the responsibility for stock, the control of keys, the monthly inspection of accounts, and the limitation of issues to bars. Bar keys are collected from and returned to the place designated by the executive officer.

The RFA drug and alcohol policy and rules controlling ships' bars should recognise the cases of ships at anchor. Instructions are in place and are published in the Royal Fleet Auxiliary regulatory document BR875 for the control of ships' bars and alcohol consumption limits both in port and at sea. For ships at anchor, the commanding officer has the discretion, as captain of the vessel, to make a decision to apply the most appropriate rule—ship in port or ship at sea—taking into account all circumstances, for example the prevailing weather conditions. He also has the discretion to restrict shore leave and increase the number of duty personnel on board.

Command teams should make arrangements as they feel necessary to provide additional supervision when large numbers of crew members have been consuming alcohol ashore. The commanding officer has the authority to make any provision necessary to ensure the safety and well-being of the ship's company, the ship itself and the environment.

The next point was that the Royal Fleet Auxiliary human resource and joint casualty and compassionate centre should meet to establish whether or not casualty and kinforming procedures should be integrated or interrelated. The procedure is interrelated. In the event of an incident, the joint casualty and compassionate centre will inform the Royal Fleet Auxiliary duty personnel officer, who is always on call, seven days a week, 365 days a year. He or she will commence the kinforming procedure through the police.

The hon. Gentleman has made a number of additional points either today or via my office. On the need for written instructions for the duty officer regarding the welfare of personnel returning from shore leave, the duties and responsibilities of the duty officer are contained in document BR875, volume 3. Specifically, it states:

> "Raucous Behaviour on the part of any person is to be tactfully and firmly discouraged, especially at or near the gangway…the Officer of the Day…informs the Duty Senior Officer of any person who, in his/her opinion, is suspected of being drunk or a danger to themselves or others. The OOD will decide in consultation with the available officers, whether or not medical attention is needed, or if action in accordance with the Code of Conduct and or the Drug and Alcohol policy is required."

The point was also made about the need for a definitive assessment of the degree of intoxication. Each ship has at least one evidential breath analyser, and each RFA vessel carries a number of on-board trained operators including duty officers. The RFA operates a drug and alcohol policy, and should a duty officer or anyone else believe that an individual is in breach of the regulation, the person concerned will be subject to an evidential breath analysis. It would be impractical to breath-test everyone returning on board.

As for the need for increased night patrols, instructions are in place and are published in Royal Fleet Auxiliary regulatory document BR875. Upper-deck patrols are a regular feature of RFA life. During silent hours—that is, outside the normal working day—duty personnel will patrol at least every two hours, although the frequency of patrols will vary according to circumstances. The commanding officer has discretion to decide whether it should be increased, drawing on his professional experience.

Let me deal next with the need for the "crash boat" to be on standby with proper lighting and a sober crew. At sea, the crash boat is on standby to be launched at short notice. In port and when shore leave has been granted, including when a ship is at anchor, it is not customary to retain the crash boat and its crew on standby. The crash boat launch arrangements are purpose-built, and include approved lighting and communication facilities between the bridge and the launch position.

Bar keys are to be held by the duty officer only. Instructions are in place, and are published in Royal Fleet Auxiliary regulatory document BR875. They state:

> "In Port, it is the responsibility of the OOD to ensure that all ships bars are properly closed by the appointed times."

Bar keys are held securely by the duty officer and issued under signature.

If there are any issues that I have not covered, I assure the hon. Gentleman that I will get back to him in writing as soon as possible.

Let me end by saying that the loss of a loved one is devastating in any circumstances, but the absence of a body on which to focus that grief prolongs the pain. I am sure that I speak on behalf of all Members in offering condolences to the family. I trust that they may soon find a measure of peace and comfort, and, of course, closure.

Question put and agreed to.

Adjourned accordingly at twenty-seven minutes past Four o'clock.

House of Commons

Monday 2 June 2008

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

WORK AND PENSIONS

The Secretary of State was asked—

Social Care Services

1. **Barbara Keeley** (Worsley) (Lab): What progress has been made in developing the pilot projects for individual budgets for people receiving social care services, with particular reference to disabled people; and if he will make a statement. [208017]

The Secretary of State for Work and Pensions (James Purnell): Individual budgets, which have been piloted in 13 local authority areas, have given social care customers, including disabled people, greater choice and control over the services they receive. The pilots were comprehensively evaluated, and we expect to publish the results later in the year.

Barbara Keeley: I thank my right hon. Friend for that answer. Next week is carers week, when we will be thinking about those issues a great deal more than usual, and I believe that disabled people and their carers in my constituency could really benefit from the extra flexibility of individual budgets. What extra steps can his Department take to try to ensure that disabled people use individual budgets much more widely once the pilots are completed?

James Purnell: I quite agree with my hon. Friend, and we believe firmly that disabled people get greater dignity and control from the use of individual budgets, which also enable them to get better solutions to the problems that we are trying to help them with.

To give an example from the pilots, a woman with breathing problems used her individual budget to buy some air conditioning and instead of having to spend the summer in hospital, as she used to do, she was able to stay at home and look after her children. That is a great example of the kind of work that we want to encourage and will be looking to take forward in the Green Paper, which we will publish shortly.

Mr. Tim Boswell (Daventry) (Con): While entirely endorsing the principle of individual budgets and in no sense wishing to suggest that people are not well empowered to make up their own mind, will the Secretary of State please bear in mind the importance of giving access to adequate and responsible advice, so that people are not, as it were, suborned into the misuse of their budget, but can use it in accordance with their needs and to best effect?

James Purnell: The hon. Gentleman is absolutely right, and he has a very long record of campaigning on those issues, which I acknowledge. The key point is that the default should be that people can continue to get the service, but if they are not satisfied with it and want to be able to do things differently they should be able to do so. Of course, they should then have the advice to enable them to do that. That is one of the key things to come up in the pilots and he is right to raise it.

Miss Anne Begg (Aberdeen, South) (Lab): My own local authority, Aberdeen city council, is looking at introducing individualised budgets, particularly through a system called In Control. That is all very laudable, but Aberdeen city council's Scottish National party-Liberal administration has just slashed £27 million out of its budget and is closing a lot of facilities that were accessible to people who would qualify for individualised budgets. In fact, the whole thing is being introduced on a cuts agenda. What does my right hon. Friend make of that?

James Purnell: I condemn strongly the action of the council, which I know my hon. Friend has raised before. These issues should never be used as cover for a cuts agenda; they should be about empowering people to get better care for themselves and to get back into work.

Mr. Mark Harper (Forest of Dean) (Con): One of the critical things for those getting the benefit of individual budgets is the means of enabling them to get back into work and making it more possible for them to do so. They are, therefore, concerned about the support that they will get through the employment and support allowance. Can the Secretary of State confirm how much extra the Government are planning to spend on employment and support allowance benefit over the next five years, compared with what they spend on incapacity benefit?

James Purnell: I can give the hon. Gentleman the figure for the next three years, which is £400 million.

Employment

2. **Bill Wiggin** (Leominster) (Con): How many people he expects to move into employment from out-of-work benefits by 2015. [208018]

The Secretary of State for Work and Pensions (James Purnell): The Government do not produce forecasts of the numbers moving from out-of-work benefits into employment. However, we aim to reduce the number on incapacity benefit by 1 million by 2015.

Bill Wiggin: I am grateful for that answer from the Secretary of State, but if that is the case, why do his Department's financial projections allow for only 350,000? What does he really expect the figure to end up as?

James Purnell: As the hon. Gentleman very well knows, our goal is to get 1 million off incapacity benefit, and we are bringing forward proposals in the Green Paper to do exactly that. It is established financial practice that one does not assume the effect of policies that have not yet been brought into effect—one would be spending money that one did not have already—and that is exactly what should be done under cautious financial management.

Jon Trickett (Hemsworth) (Lab): As my right hon. Friend will know, many hundreds of thousands of miners were condemned to incapacity benefit by the Conservative party, receiving no assistance whatever to get back to work, and he would probably join me in condemning that. Many of those people have been on incapacity benefit since the strike, or since the closure of the pits, and they are approaching retirement age. Can we have an assurance from him that those people will be handled with great care in any effort to get them back to work, given that they were condemned by the Conservative Administration to long-term receipt of incapacity benefit and received no help whatever from society?

James Purnell: My hon. Friend is absolutely right. The number on incapacity benefit tripled under the Conservative party but has been falling for the past few years, rather than rising inexorably, which is what it used to do. The Conservative party provided no help at all for people on incapacity benefit.

Since April, everyone has had access to pathways to work, and my hon. Friend will have constituency examples of people who have been out of work for many years who are messianic about the effect of pathways and the transformation in their lives that it has brought about.

Philip Davies (Shipley) (Con): Is the Secretary of State not embarrassed that the Government have presided over circumstances in which so many people who are capable of work are not working—particularly young people sitting on their backsides and doing nothing—while relying on cheap labour from eastern Europe to hide the fact that a large number of those on benefits should be working, and could be working if the Government had more will power?

James Purnell: I think the hon. Gentleman should consider carefully the tone of his remarks and the way in which he has stigmatised young people. The truth is that each year only just over 6,000 young people are unemployed for more than a year, 90 per cent. fewer than in 1997. That constitutes a transformation of the system. Moreover, out-of-work benefits are down by £1 million overall. We have transformed the system: we have fewer people unemployed than at any time since the 1970s, and more people in work than ever before. The hon. Gentleman should recognise that rather than dog-whistling on immigration.

Hugh Bayley (City of York) (Lab): The question from the hon. Member for Leominster (Bill Wiggin) covers the gamut of out-of-work benefits. In my constituency, more than 6,000 people were unemployed in the mid-1980s; now the figure is less than a quarter of that, below 1,500. Does my right hon. Friend agree that it was the welfare-to-work schemes introduced by the Labour Government that brought the figure down, and that that is most likely to continue if we retain a Labour Government?

James Purnell: I certainly agree with the last part of my hon. Friend's question. He is absolutely right: the number of people on jobseeker's allowance has more than halved. That is because we have an active welfare state which requires more from people after three months, after six months and after a year, and which I am glad to see that the Opposition are now trying to copy.

Jenny Willott (Cardiff, Central) (LD): Both the Government and the Conservatives recently announced proposals to enforce tough new measures on working-age benefit claimants, including boot camps and compulsory work programmes. Those proposals have been widely criticised by child poverty campaigners who argue that they represent a revival of workhouse rules, and that they show little regard for the consequences for child poverty.

Does it concern the Government that they now appear to be uniting with the Conservatives in their disregard for the effect of their policies on child poverty, and can the Secretary of State assure me that the welfare reform Bill that we expect to be introduced in the next parliamentary Session will focus on reducing poverty?

James Purnell: I welcome the hon. Lady to her new position. I can certainly give her that assurance. The whole point of the welfare reforms that we are introducing is to reduce poverty. We have had no truck with talk of boot camps, although, as she will see when she examines the details of what the Conservatives announced last week, they were actually only reannouncing what we are already doing through the new deal.

Mr. James Clappison (Hertsmere) (Con): The Secretary of State was all at sea when he replied to the original question from my hon. Friend the Member for Leominster (Bill Wiggin). He said that it was not possible to assume a figure, but his answer did assume a figure in his financial forecast, and it is less than the figure that my hon. Friend cited as the Secretary of State's target. Meanwhile, according to the Government's own answers and in contradistinction to what the Secretary of State has said, unemployment among 16 to 24-year-olds has risen since the Government came to power, and some 5 million people are languishing on out-of-work benefits. On the subject of dog whistles, it was the Secretary of State's right hon. Friend the Member for Birkenhead (Mr. Field) who brought to light the fact that more than half the increase in employment in this country was due to jobs being given to migrant workers.

Against that dismal background, is it not time for some fresh thinking and fresh policy, which this clapped-out Government are manifestly incapable of providing?

James Purnell: Let us take the 5 million figure that the hon. Gentleman gave. It includes carers—whom he says his party will not force back into work—severely disabled people, lone parents with very young children, and those who retire early. The Tories are using figures that are completely inconsistent. They themselves acknowledge that they would not want to return those people to work. What they should be considering are the JSA count, which is down by more than half, and the fact that, as I have said, only 6,000-odd young people are unemployed for more than a year.

Rather than citing inconsistent figures, the Tories should start to cost their policies. The proposals that they announced last week would require at least hundreds of millions of pounds of extra spending, and would mean the cost of welfare going up, not down.

Pensioner Poverty

4. **Mr. David Amess** (Southend, West) (Con): What recent estimate he has made of the proportion of pensioners in poverty. [208021]

The Minister for Pensions Reform (Mr. Mike O'Brien): In 1996-97, 2.9 million pensioners were living in relative poverty, after housing costs. Measures such as pension credit have helped reduce that number by over a million to 1.8 million in 2005-06. I have today placed in the Library a fact sheet containing projections of entitlement to pension credit and other income-related benefits, up to 2050.

Mr. Amess: The Government have said that a small but important inaccuracy in the 2006-07 data is the reason for the delay in publishing the statistics for the percentage of pensioners who are living in poverty. Will the Minister enlarge upon that small inaccuracy and take the opportunity to refute firmly and absolutely the scurrilous suggestions that the figures could have been delayed because of the local elections, the mayoral elections and the Crewe and Nantwich by-election?

Mr. O'Brien: It is a matter for the hon. Gentleman whether he wishes to describe as scurrilous the views of those on his own Front Bench. The DWP statisticians identified an inaccuracy in the statistical framework that led to some of the headline statistics being somewhat inaccurate. That was verified by the independent quality assessment of the Institute for Fiscal Studies and was looked at by Karen Dunnell, the national statistician. The view was taken that the inaccuracy had to be corrected. The new figures will be released on 10 June.

Sir Gerald Kaufman (Manchester, Gorton) (Lab): It is always essential constantly and regularly to improve the situation of pensioners, but will my hon. and learned Friend compare the situation now with that before the introduction of the winter fuel payment, which the Conservatives derided, of the free television licences and of pension credit? Will he remember the words of Aneurin Bevan, whose National Health Service Act the Conservatives voted against, "Why look into the crystal when you can read the book"?

Mr. O'Brien: My right hon. Friend is entirely right. When we came into office, tens of thousands of pensioners were trying to scrape by on £69 a week. Not only that, the then Government had sought to double the VAT on fuel, which would have hit pensioners even harder. That is the record that we inherited and we have turned it around, taking more than 1 million pensioners out of poverty. The percentage of pensioners in absolute poverty has fallen by three quarters, from 32 per cent. in 1997 to 8 per cent. in 2005-06. I suspect that most people would regard that as a very good record compared with that of the previous Conservative Government.

Mr. Oliver Heald (North-East Hertfordshire) (Con): If the situation is as marvellous as the Minister says, why has the number of pensioners going bankrupt gone up from 900 five years ago to 7,900 this year? Is not one of the reasons why those most in need of help are not getting it through the pension credit—as we warned at the time of its introduction—the fact that it is an over-complex system introduced by a Chancellor who is now the Prime Minister and is still getting it wrong?

Mr. O'Brien: Tens, if not hundreds, of thousands of people in this country, and many in the hon. Gentleman's constituency, are in receipt of pension credit and are very grateful for the fact that rather than having to live on the £69 a week that he voted to support they are now able to get a minimum of £124 to ensure that they are not in dire poverty. We are the Government who have looked after pensioners while the Government supported by the hon. Gentleman not only wanted to double VAT on fuel, but kept large numbers of pensioners in poverty.

Ms Gisela Stuart (Birmingham, Edgbaston) (Lab): The Minister is right to take no lessons on pensioner poverty from the Conservatives but given that fuel prices have a disproportionate impact on pensioners, could he say a little more about weekend newspaper reports that measures are to be brought in to give extra help, through winter fuel payments, to the poorest pensioners?

Mr. O'Brien: It is certainly the case that the Government need to take steps to get energy companies to help the vulnerable with rising fuel bills this winter. Energy companies offered to increase funding on their social tariffs to £225 million over three years. We want to move quickly to help people with their fuel bills—that is a priority for us. The Government have made an offer to the fuel companies: to send out a mailshot or voucher for the energy suppliers to all people who are on pension credit, letting them know how they can get on to the lower social tariff and, thus, lower their fuel bills. We also want to ensure that pensioners get access to better insulation grants, and that, in the long-term, they can help to lower their fuel bills by fitting proper insulation. We are offering that facility, but we are also offering fuel companies the option to share our data on who is in deprivation—that would be done through a trusted intermediary, so that those data are secure—and, in that way, fuel companies can ensure that their social tariff is directed to those most in need.

Mr. Nigel Waterson (Eastbourne) (Con): Can the Minister confirm that he has quietly dropped the target originally set by the Prime Minister when he was Chancellor for maximising the take-up of pension credit? What estimate has the Minister made of the additional number of pensioners who will be thrown into poverty as a result of that decision? Is it not adding insult to injury for hard-pressed UK pensioners, who live in one of the EU countries where pensioners are most likely to fall into poverty?

Mr. O'Brien: As a result of the steps that we have taken, particularly on pension credit, this country's pensioners are, on balance, less likely to be in poverty either than they were under the hon. Gentleman's Government or in respect of any other proportion of the population at the moment.

News of the removal of this target bizarrely appeared in today's *The Daily Telegraph*, but the measure was announced in 2006 by my right hon. Friend the Member for Barrow and Furness (Mr. Hutton) and it has been raised several times in Select Committee—this is so old that it is not even old news, as the targets changed some time ago. Four out of five of those entitled to guaranteed credit are now receiving it, and this Government are committed to getting more people on to pension credit. Our new target on pension credit, which has been recently increased, focuses on successful applications, instead of case load.

Child Care

5. **Ms Karen Buck** (Regent's Park and Kensington, North) (Lab): What recent assessment he has made of the effect on the uptake of child care of methods of paying for it. [208022]

The Parliamentary Under-Secretary of State for Work and Pensions (Mrs. Anne McGuire): Annual expenditure on child care under the child care element of tax credits was just under £1.2 billion in 2006-07. Jobcentre Plus is actively involved in improving the take-up of formal child care by its customers, and Jobcentre Plus advisers routinely discuss formal child care with all parents.

Ms Buck: Good quality child care is not only enriching for children, but essential for parents who want to combine parenting with work. The Government have had real success in recent years through investing in child care, particularly for three and four-year-olds, as has been evident in my constituency and across the country. Does my hon. Friend accept that there are problems in the system of paying for child care, particularly when it comes to older children? That was borne out in the recent study by the Department for Children, Schools and Families. Is it time that the DCSF, the Treasury and the Department for Work and Pensions got together to work on a new package to replace the child care tax credit for older children and their families, so that holiday schemes and out-of-school provision can be—

Mr. Speaker: Order. I must stop the hon. Lady.

Mrs. McGuire: My hon. Friend must be congratulated on constantly raising child care issues and on advising the Government as to how to improve uptake. She has alerted us to some issues, as have other organisations, in particular the higher level of up-front costs, which can act as a real barrier to some parents. She will know that from April 2008, we have been examining, in London, how we can pay those up-front costs. Of course, we want to examine every avenue to improve the system and to ensure that parents who want to move into work can get the wrap-around child care that they need. Our Department will work closely with the other Departments she mentioned to ensure that that happens.

Miss Anne McIntosh (Vale of York) (Con): Is the Minister disappointed that the figures show that take-up has gone down dramatically and that the much vaunted free nursery place system has done nothing except shroud nursery schools in red tape and additional bureaucracy? More people seeking such child care use family members such as grandparents.

Mrs. McGuire: I am astonished that the hon. Lady uses the words "shrouded in red tape". I would have thought that she would welcome the fact that we have set safety standards and that we ensure that young children put into the care of nurseries and pre-school groups are properly cared for. It would embarrass me to have to defend the record that her Government left us in 1997, as we now have 10 times more child care places than we had then. That is a record that the hon. Lady should be ashamed of.

Mr. Terry Rooney (Bradford, North) (Lab): My hon. Friend will be aware of the disproportionate costs of child care for disabled children. In the Treasury review of child care tax credit, will she, as Minister for disabled people, make representations on that important issue?

Mrs. McGuire: My hon. Friend knows that Aiming High for Disabled Children has included an additional resource of £35 million up to 2011 to improve access to child care. We also have the new supporting access to child care project. In many local authorities, disabled children are supported successfully in mainstream child care, and I am sure that my hon. Friend, as Chairman of the Work and Pensions Committee, has seen many examples of that. We need to break down the barriers that parents with disabled children face in accessing good quality child care.

Mr. Philip Hollobone (Kettering) (Con): What encouragement is given, and financial incentives offered, to parents who wish to stay at home to bring up their pre-school children?

Mrs. McGuire: We have expanded maternity leave and introduced paternity leave. We are looking at ways in which we can support parents through access to child care, with—currently—12 and a half hours free child care a week, which will increase to 15 hours. The hon. Gentleman has to realise that we can support parents in a mixture of ways, whether they choose to go out to work or to stay at home. The record of this Government stands up to scrutiny, especially compared with the record of the Administration whom he supported.

Mrs. Ann Cryer (Keighley) (Lab): Does my hon. Friend agree that the form of support that single parents most appreciate is provided not by her Department but by extended schools? Such support reduces single parents' anxiety because it means that they can go to work and earn money while their children are at school, and need not depend on public support.

Mrs. McGuire: My hon. Friend is right. It is often the periods before and after school that are crucial to giving parents the confidence that their children are being looked after, and that is why extended school programmes, with wrap-around care from 8 am to 6 pm—which will be rolled out across England and Wales over the next couple of years—are crucial.

Child Poverty

10. **Alistair Burt** (North-East Bedfordshire) (Con): What assessment he has made of the effect of family breakdown on child poverty. [208027]

The Parliamentary Under-Secretary of State for Work and Pensions (Mr. James Plaskitt): In many cases, the break-up of families can lead to lower incomes and a greater risk of children living in poverty. So, we have a strong focus on supporting lone parents into work. The number of children in poverty in lone parent families has reduced by around 200,000 children. The risk of a child in such a household being in poverty has fallen from 46 per cent. to 35 per cent.

Improvements to the Child Support Agency mean that a record £1 billion of maintenance is now flowing to children. Our new reforms of the child maintenance system will lift a further 100,000 children out of poverty.

Alistair Burt: The Department's website continues to suggest that it sees family breakdown more as a symptom of child poverty than as a cause. If the Minister is changing that impression, that would be welcomed. Does he agree that the Department is somewhat hamstrung by playing down the impact of family breakdown? If so, can he find a way out of that trap so as to respond positively to the comments of people such as Mr. Justice Coleridge who has 37 years of experience in the family court and who said last month:

> "High sounding declarations about taking children out of poverty are all well and good but where are the necessary investments in research and support for family life?"

Mr. Plaskitt: The hon. Gentleman will know that there are many reasons why families end up in breakdown. The obligation on us is to ensure that when families encounter that, support is available. That is why, for example, one of the most important things that we can ensure when a family splits up is that the parent who continues to care for the children gets a decent income coming into the household. That is why programmes that support lone parents as they go back to work are so important. As the hon. Gentleman will know from his history of involvement with the subject, when couples separate it is crucial that maintenance flows to support the children. That is why we are making a big investment in the CSA, which is now collecting a record £1 billion of maintenance, as I have said.

Another thing that is coming in, which I hope that the hon. Gentleman will welcome, is the child maintenance options service whereby for the first time couples moving towards separation will have information and support provided objectively and independently, for free, to help them to deal with that. Independent support and advice, on subjects from across the range of areas for which this Department is responsible, are available to assist couples.

Ian Lucas (Wrexham) (Lab): Does my hon. Friend agree that one of the most insidious causes of family breakdown is mass unemployment? Will he therefore pay little regard to any Government who ever consider mass unemployment a price worth paying?

Mr. Plaskitt: Certainly, the experience of mass unemployment and the break-up of communities led to the break-up of families. I do not think that there is any doubt about that. My hon. Friend is quite right to point out that a pro-employment policy is a pro-family policy and helps couples to stay together. He is right to point out that the policies that have seen unemployment fall dramatically, that have virtually eliminated long-term unemployment and that have restored employment in broken communities have contributed to supporting families. That is the result of policies that this Government have implemented.

David Taylor (North-West Leicestershire) (Lab/Co-op): Does the Minister agree that, with the odd rare exception, such as the hon. Member for North-East Bedfordshire (Alistair Burt), to hear people on the Conservative Benches talk about the alleviation of poverty and their ideas in that regard is similar to hearing that King Herod has been appointed to a post in charge of child protection?

Mr. Plaskitt: My hon. Friend always has his own way of putting such things. The important point, I think, is to ensure that we continue to pursue policies that support families as they face the variety of strains of modern life and try to achieve the right balance between work and family life. Through a range of policies pursued by this Department and others, we have put in place measures that back families, that support them and that help them to deal with the tensions of modern life.

Child Poverty

11. **Mr. David Gauke** (South-West Hertfordshire) (Con): What progress he has made towards his target to halve child poverty by 2010. [208028]

The Minister for Employment and Welfare Reform (Mr. Stephen Timms): Child poverty more than doubled under the previous Government to the worst rate in Europe. We have arrested and reversed the rising trend, with 600,000 children lifted out of poverty in the past decade. We reaffirmed on Budget day our commitment to halving child poverty by 2010 and eradicating it by 2020, and measures announced in last year's Budget, and since, are expected to lift 500,000 children above the poverty line.

Mr. Gauke: Like the figures for pensioner poverty referred to by my hon. Friend the Member for Southend, West (Mr. Amess), publication of the figures for child poverty has been delayed. Given that the reason for the delay cited by the pensions Minister concerned a technical problem that, according to the DWP's technical note, relates to a relatively small number of people around pension age, can the Minister confirm that the yet to be released headline figures on child poverty have been known to the Government for some months?

Mr. Timms: No, I cannot confirm that. I do not know what the figures are. They are being reviewed in the way that my hon. and learned Friend the Minister for Pensions Reform described earlier, on the basis of a decision by the departmental statistician in consultation with the Government statistician and the Institute for Fiscal Studies. As my hon. and learned Friend said, the figures for households below the average income will be published on 10 June.

Miss Julie Kirkbride (Bromsgrove) (Con): Can the Minister explain why the number of children in poverty in two-parent households went up from 21 to 23 per cent. last year?

Mr. Timms: We have made a decisive break with the disastrous policy of the Conservative party in government, for which even now addressing child poverty remains a vague aspiration. We have reduced the number of children in poverty from 3.4 million to 2.8 million. If we had left the policies as they were in 1997, the figure would be above 5 million by now. Measures in the last two Budgets and in the pre-Budget report will help further. They are expected to reduce child poverty by 500,000. We remain committed to the target. There was a very small increase last year. The overall impact has been very positive.

Occupation-related Illnesses

12. **Tony Lloyd** (Manchester, Central) (Lab): What recent discussions he has had with the Health and Safety Executive on its programmes on occupation-related illnesses. [208029]

The Parliamentary Under-Secretary of State for Work and Pensions (Mrs. Anne McGuire): Ministers hold regular discussions with the chair of the Health and Safety Executive and its senior officials regarding the executive's programmes on occupation-related illnesses.

Tony Lloyd: Does my hon. Friend agree that, although everyone regrets the tragic deaths of 241 people in industrial accidents last year, the perhaps 10,000 to 20,000 people who die every year from occupational diseases—cancers and so on—nevertheless represent a problem on a much bigger scale? Can I have an assurance that the Health and Safety Executive will crack down on that and have the resources to ensure that we both educate and encourage prevention—for example, where diesel fumes are allowed to permeate the working space—to make sure that another generation in 10, 15 or 20 years' time will not die in that horrible way?

Mrs. McGuire: My hon. Friend is right to raise the issue of deaths that sometimes occur a long time after people have ceased to work in a particular occupation. Of course, asbestosis accounts for about 4,000 deaths a year, which is the highest rate of any occupational health killer. I hope he recognises the importance of the hidden killer pilot that we rolled out in the north-west. It was not specifically aimed at diesel fumes, but it worked with tradesmen, particularly plumbers and electricians, to look at how they work in at-risk occupations. He is right to highlight the fact that the Health and Safety Executive, along with employers, employees and trade unions, needs to look at how we manage risk for the current work force and to ensure that those risks are reduced as much as possible.

Mr. Michael Clapham (Barnsley, West and Penistone) (Lab): The Minister will be aware that payments for certain industrial diseases, such as pneumoconiosis, changed on the demise of British Coal on 27 March 2004. Since then, there have been 3,300 new claims. I understand that only 300 of those new claimants have claimed benefit under the Pneumoconiosis etc. (Workers' Compensation) Act 1979. I understand that her Department did not put down the line the information that miners could now claim under the 1979 Act. Will she therefore look into the matter and ensure that, if it is shown that anyone has been disadvantaged by not being able to claim under the 1979 Act, they will allowed to make a new claim?

Mrs. McGuire: Of course, I will look at the points made by my hon. Friend, who has consistently and persistently promoted the cause of those miners who suffered as a result of working down the pits, and I will get back to him on that issue.

Andrew Miller (Ellesmere Port and Neston) (Lab): No Government have done more than this one to compensate those people who have suffered industrial health problems, such as coal miners, who were referred to by hon. Friend the Member for Barnsley, West and Penistone (Mr. Clapham). However, will my hon. Friend the Minister look again at the 1979 Act, as my hon. Friend has asked, and look beyond the coal mining population, because a constituent of mine from the building industry, along with a handful of other people, has been told that his only way forward is to seek judicial review of the Government? That does not seem to be a humane way to deal with someone who manifestly suffers from pneumoconiosis.

Mrs. McGuire: Obviously, if my hon. Friend gives me the details of his constituency case, I will look into it for him.

Benefits System

13. **Kelvin Hopkins** (Luton, North) (Lab): What plans he has for simplifying the benefits system; and if he will make a statement. [208031]

The Minister for Employment and Welfare Reform (Mr. Stephen Timms): Benefit simplification is important to our welfare reform programme, for example in the roll-out of the local housing allowance since April, in the introduction of the employment and support allowance in October, and in pensions reform from 2010. In the longer term, we are looking into the possibility of a single benefit for people of working age.

Kelvin Hopkins: I thank my right hon. Friend for that answer. I think that Britain is the only country in Europe where benefits are delivered through the agencies of three Departments. That makes the system complicated, expensive to administer, and difficult for claimants. Is it not time that we seriously considered giving responsibility for all benefits to one Department, namely his?

Mr. Timms: There is good co-operation between my Department and Her Majesty's Revenue and Customs on tax credits, and between the Department and local authorities on housing benefit. A very good pilot in north Tyneside has shown excellent results, and we have now extended it to another half a dozen local authorities. My hon. Friend is right that there is good scope for co-operation, particularly with local authorities, in order to deliver benefits more quickly, and to deliver a better service.

Dan Rogerson (North Cornwall) (LD): Occasionally, complications in the system to do with benefits and allowances can impact on people doing voluntary work or holding particular offices in their community. I would very much like to discuss a constituent's case with the Secretary of State or one of his colleagues, and I should be grateful if he agreed to a meeting in which we could do that.

Mr. Timms: There certainly are a number of issues to do with volunteering and the benefit system. We have been considering them, and we have made good progress in recent months. If the hon. Gentleman would like to drop me a line, I will be happy to look at the case that he has in mind.

Joan Walley (Stoke-on-Trent, North) (Lab): I welcome the progress that my right hon. Friend the Minister has made in extending the 16-hour rule to Stoke-on-Trent, but further flexibility is needed. In particular, will he look at the situation faced by those on incapacity benefit who are anxious to gain skills and move into education and training, but who do not want to have to go on to jobseeker's allowance to do so, and will he get back to me on that, please?

Mr. Timms: I thank my hon. Friend for what she says. As she will know, under the employment and support allowance, which is being introduced from October, the arrangements for therapeutic work will be significantly different from those in place under incapacity benefit. If she looks at the new arrangements, she will find that there has been some welcome progress. If there are other points that she would like me to consider, I should be happy to have a conversation with her about them.

Sir George Young (North-West Hampshire) (Con): Does the Minister accept that one of the reasons for the low take-up of some benefits is the complexity of the application forms? Is that not another powerful reason for seeking to simplify the benefits system?

Mr. Timms: Of course the right hon. Gentleman is right. I am sure that he will therefore warmly welcome, as others have done, the introduction of the three-page application form for housing benefit and council tax benefit for people already receiving pension credit. That has been a big step forward, and we will be looking for others.

Child Maintenance

14. **Ms Sally Keeble** (Northampton, North) (Lab): What steps he is taking to improve maintenance arrangements for children of non-resident parents; and if he will make a statement. [208032]

The Parliamentary Under-Secretary of State for Work and Pensions (Mr. James Plaskitt): There are two key steps. First, we are improving the performance of the Child Support Agency. The agency now collects £200 million more, for 200,000 more children, than it did in the last year of operation before the improvement plan. Secondly, we will ultimately replace the agency with the new Child Maintenance and Enforcement Commission to ensure even better support for children. The advances that we are making in that area continue to lift more children out of poverty.

Ms Keeble: Is my hon. Friend aware of the concerns raised by a community in my constituency about UK-born men who go abroad, get married, have families, and then return to the UK without making any arrangements at all for the family's maintenance? Does he agree that there is an obligation on non-resident parents to provide support for their children, even if the children are living abroad and are therefore outside the immediate reach of the Child Support Agency?

Mr. Plaskitt: Those are rather unusual circumstances. I am aware that my hon. Friend has encountered them in her constituency, and I encourage her to write to me with the details of the cases, if she does not mind. I am happy to look into them a bit further. However, it has always been part of the regulations applying to the child support system that for a maintenance calculation to be made and enforced, all the parties have to be habitually resident in the UK. I think that that is not so in the case that she has encountered, and there would therefore be difficulties in pursuing the matter, but still, if she gives me more details about it, I will look further into it for her.

Angela Watkinson (Upminster) (Con): Will the Minister be kind enough to look into the case of my constituent, Mrs. Faringdon, who has full-time care of her 14-year-old niece? The niece's child benefit is still being paid to her father, despite the fact that there is a non-molestation order against him. Mrs. Faringdon would like to apply for a permanent residency order for her niece, but has been told that no funding will be available to enable her to do that, and she is unable to fund the process herself. I should be most grateful if he looked into the matter for me.

Mr. Plaskitt: I would be more than happy for the hon. Lady to write to me with further details of the case, and I undertake to look into it. The normal rule in relation to child benefit is that it goes to the parent who has the majority of care of the child, and that is a fairly firm rule. However, the case sounds complex, so if she writes to me with further information about it, I will look into it and try to help her constituent out.

Dr. Vincent Cable (Twickenham) (LD): Can the Minister explain and justify the practice whereby people in emergency financial need seeking loans from the social fund are no longer being interviewed, but are required to access a telephone helpline, which is invariably engaged or unobtainable and, at best, provides a highly impersonal and unsatisfactory service?

Mr. Plaskitt: The fact of the matter is that the telephone helpline has been introduced. I accept that there were difficulties with it initially; we have been clear about that. A great deal of extra investment has gone into it and more staff have been transferred to the helpline. I think the hon. Gentleman knows that the latest statistics show that it is performing well, calls are being answered swiftly, calls are not being lost, and support is being given in the same way as it was on a face-to-face basis. I can also confirm to him that if any of his constituents still require a face-to-face interview and do not want to proceed with a telephone application, they are entitled to ask for a face-to-face interview and it will be provided.

Topical Questions

T1. [207997] **Harry Cohen** (Leyton and Wanstead) (Lab): If he will make a statement on his departmental responsibilities.

The Secretary of State for Work and Pensions (James Purnell): We want to give children the best possible start in life. Responsible parenting is important to provide children with the security and confidence that they need to thrive. The moment that a child's birth is registered is of enormous significance, both practical and symbolic. It is an opportunity for public acknowledgment of the responsibilities of parenthood, where both mother and father can commit to their role in nurturing and supporting their child, yet as many as 45,000 to 50,000 birth registrations in the UK each year do not include the name of the father.

I can therefore announce today that the Department for Work and Pensions and the Department for Children, Schools and Families are publishing the White Paper "Joint Birth Registration: Recording Responsibility" in order to ensure that wherever possible both parents are named on a child's birth certificate. We propose that joint birth registration should become a legal requirement for all unmarried parents, unless that is decided by the registrar to be impossible, impracticable or unreasonable. The measures will continue to protect vulnerable women and children, but allow a mother to ensure that a father acknowledges his responsibility for his offspring. Equally, they will ensure that unmarried fathers will get the right to have a say in their child's life.

Harry Cohen: I welcome the Government's proposal for joint registration of a birth, and I note those exceptions. It is important that both parents, fathers included, are on the registration of a birth, but if there is a contestation about who the father is, could there be a system of revised registration, perhaps at a later date, to take into account the results of any DNA tests that might have taken place?

James Purnell: That is something that we should look at. The system of paternity testing is there for parents to be able to establish paternity accurately. I am glad that my hon. Friend welcomes the moves that we are introducing. It is important to change the default system so that both parents are registered, for unmarried couples as well as for married ones.

T2. [207998] **Alistair Burt** (North-East Bedfordshire) (Con): I appreciate the answer that the Minister gave to my previous question and the way in which he put it, but I do not think he quite got the point. All the financial support that goes to people after family and relationship breakdown is not worth nearly as much as support and investment given before the break-up. There is mounting evidence that such support, in all its many forms, is needed to prevent relationships from breaking up, but there is little evidence to suggest that the Government have yet understood that. Can the Minister help the House a little more?

The Parliamentary Under-Secretary of State for Work and Pensions (Mr. James Plaskitt): I do not accept the hon. Gentleman's argument that no support is going through. All the measures that we have introduced since 1997 in support of families, especially families on low incomes, who have been the principal gainers from Budget and benefit changes, mean that more support is going into households. That support helps to sustain the family, helps the family to deal with the challenges of the day, and is therefore in support of the family. Tax policies and benefit policies, as well as child maintenance policies, have been very much pro-family and continue to be so.

T3. [207999] **Mark Lazarowicz** (Edinburgh, North and Leith) (Lab/Co-op): Many of the services offered by the Minister's Department have to be accessed through phone lines. However, as my hon. Friend will know, an increasing number of people do not have land lines; they just have mobile phones. Accessing the Department's services can cost such people much more than is paid by those who can use local services or freephone lines. What will the Department do to take account of the development that I have mentioned as it tries to make its services as accessible as possible to the public?

Mr. Plaskitt: First, there is an array of freephone lines, as my hon. Friend knows. If claimants contact us via a mobile phone, we will always agree to call them back at a predetermined time. Those claimants only have to make the one, brief initial request for a telephone exchange with us; we will then make the call back. In such circumstances, we can help people who have access only through mobile phones.

Chris Grayling (Epsom and Ewell) (Con): I join the Secretary of State in welcoming the new Lib Dem spokesman to her position; it seems a long time since we debated against each other on Merton council.

We welcome today's White Paper. Its direction is right and the Secretary of State will have our support, although there will no doubt be debate over the detail. Will he tell us exactly what the relationship is between him, the Department for Work and Pensions and Mr. Phil Collins?

James Purnell: I certainly can; I have enjoyed watching this story. First, the press said, wrongly, that Mr. Collins was my special adviser; then they said, wrongly, that he had been sacked. They then launched a great inquisition about why he was not sacked in the first place. To reassure the hon. Gentleman, I should say that Mr. Collins has not charged for or been paid for any work at the Department for Work and Pensions and that he is not employed by the DWP. We do play football together, however—and we are becoming an increasingly slow central defensive partnership.

Chris Grayling: I am none the less slightly puzzled by the Secretary of State's answer. We are talking about the gentleman who wrote an article last week saying:

> "In the drama of British politics a Labour tragedy is unfolding."

What we do know is that Mr. Collins has been writing speeches for the Secretary of State that have been edited by officials in the Department; there has clearly been some kind of working relationship. Can the Secretary of State explain that? Can he also say what conversations he has had with the Prime Minister in the past few days about the work that Mr. Collins has been doing?

James Purnell: As I said, it could not be simpler: Mr. Collins has not been paid by the DWP for any work. It is interesting that after another six weeks of thinking, the hon. Gentleman has yet again resorted to trivia and refused to engage in any debate about welfare policy. The very clear reason for that is that he knows that the minute there is any scrutiny of his proposals, people will see that they are expensive, that they will increase the cost of welfare and that, at best, all they will do is copy things that we are doing already.

T7. [208003] **Tony Lloyd** (Manchester, Central) (Lab): May we get back to real issues, which affect my constituents? Sadly, my constituents still suffer the highest rate of child poverty in the country. Do my right hon. and hon. Friends on the Front Bench accept that getting lone parents into work and supporting them is probably the most important thing that we can do to tackle the impact of poverty in our society? In that context, would not the abolition of Sure Start—one of the cost-cutting proposals from the Conservative Front Bench—be a tragedy in areas such as the centre of Manchester? *[Interruption.]*

The Minister for Employment and Welfare Reform (Mr. Stephen Timms) *rose—*

Mr. Speaker: Order. May I ask Members on the Benches to be quiet? They can be noisy at half-past 3.

Mr. Timms: My hon. Friend the Member for Manchester, Central (Tony Lloyd) is absolutely right: the abolition of Sure Start would be a disaster in respect of addressing child poverty. The discussions and ideas coming from Conservative Front-Bench Members show how little importance they attach to that whole question.

The progress that we have made on reducing child poverty is very welcome. However, we need to do a great deal more. My hon. Friend is absolutely right: helping lone parents into work is perhaps the most important of the initiatives that we have in hand. Changes to lone parent benefit later this year will help. What has been borne out by my visits to Sure Start centres is that the personal help provided to lone parents at those centres is also making a big difference.

T4. [208000] **Mr. David Amess** (Southend, West) (Con): With £4.6 billion of benefits going unclaimed every year, Age Concern's excellent report, "Just what the doctor ordered", has suggested that health care settings are an excellent way to publicise benefits. As the architect of the Warm Homes and Energy Conservation Act 2000, I am concerned that the Government will not meet their target of eliminating fuel poverty by 2010, so will they accept Age Concern's report?

The Minister for Pensions Reform (Mr. Mike O'Brien): We will certainly give it full and due consideration. One of the key things that we are doing is taking real steps to ensure that we deal with some of the issues surrounding fuel poverty, particularly for pensioners. Age Concern has worked with us in doing that, and I am grateful to it for that. One of our key proposals is the new data-sharing initiative. For years, the fuel companies have said, "We are prepared to provide social tariffs and lower bills for those who are on low incomes, but we don't know who they are." In the past, DWP has not been prepared to share that data. In the next six weeks, I will table a new amendment to the Pensions Bill that will enable us to data share with the power companies through a trusted intermediary. Pensioners will be able to opt out if they do not want to have their data shared. We hope that that will be a first step towards dealing with some of the problems that Age Concern has identified.

Mr. Lindsay Hoyle (Chorley) (Lab): I welcome what my hon. and learned Friend says about helping pensioners with fuel bills. Will he look at extending the franchise that we gave to pensioners aged over 75 to get free TV licences to ensure that all old-age pensioners will benefit from that measure?

Mr. O'Brien: Over-75s' TV licences, and indeed under-75s' TV licences, are a matter for another Department. However, we are anxious to ensure that we continue to take steps to deal with the issues of pensioner poverty that this Government are committed to tackling. That is why we introduced pension credit in 2003 and have since taken initiatives to increase it substantially. We want to ensure, too, that some of our steps on fuel poverty deal with the problems that pensioners are facing with their fuel bills.

T5. [208001] **Mr. Philip Hollobone** (Kettering) (Con): Organisations such as Kettering welfare rights advisory service and Kettering citizens advice bureau help to secure hundreds of thousands of pounds of benefits for residents in and around Kettering. Why can such organisations do such good work when Government officials apparently cannot?

Mr. Timms: There has long been a very valuable role for citizens advice bureaux; that is why Citizens Advice is supported and funded by the Government. It does a great job up and down the country, and that is why we will continue to support it.

T6. [208002] **Dr. Vincent Cable** (Twickenham) (LD): In using the benefits system to compensate the remaining 1 million losers from the loss of the 10p tax rate, why are the Government using working tax credits, which are based on gross income and therefore cannot help, rather than housing benefit and council tax benefit, which are based on net income and can help? Is it that they do not understand their own benefits system?

James Purnell: The hon. Gentleman gets a whole Question Time to himself to ask these questions of the Chancellor, so I am sure that he will want to do so.

However, I would have thought that he would welcome the cut in tax and increase in allowances that we have brought in for people not only on low incomes but on middle incomes.

T8. [208004] **Bill Wiggin** (Leominster) (Con): The Department's report for 2008 shows that the Government have not met three public service agreement targets and have encountered slippage on no fewer than nine. Targets 1a, 1b and 1c all relate to child poverty. Is not that an example of a failing Government, and who does the Minister think is responsible?

James Purnell: One thing is absolutely clear: we will not take any lectures from the Conservatives until they commit to the target on child poverty and come up with a single policy to reduce it.

T9. [208005] **Mr. Tim Boswell** (Daventry) (Con): Now that rising food and fuel prices are putting pressure week by week on the incomes particularly of low-income people, do the Government have any plans in advance of the next scheduled revaluation of benefits to introduce interim measures to ameliorate that?

James Purnell: Not that I am aware of.

Mr. Peter Bone (Wellingborough) (Con): The latest official figures from the Office for National Statistics show that 591,000 people arrived in the UK in 2006. How many of those were gainfully employed?

Mr. Timms: Immigration into the UK over the past few years has left us in a position where more people are in work in Britain than ever before—above 29.5 million for the first time ever—and where we have the lowest number of people claiming unemployment benefit since the mid-1970s. That is an extraordinarily strong economic performance, and part of the explanation for it is the contribution made by people coming to work from overseas.

New Member

Mr. Speaker: Will the Members wishing to take their seats please come to the Table?

The following Member took and subscribed the Oath:

Edward Timpson, Crewe and Nantwich.

Planning Bill (Programme) (No. 2)

Motion made, and Question proposed,

That the Order of 10th December 2007 (Planning Bill (Programme)) be varied as follows—

1. Paragraphs 4 and 5 of the Order shall be omitted.

2. Proceedings on consideration and Third Reading shall be concluded in two days.

3. Proceedings on consideration shall be taken on each of those days as shown in the following Table and in the order so shown.

4. Each part of the proceedings shall (so far as not previously concluded) be brought to a conclusion at the time specified in relation to it in the second column of the table.

Proceedings	Time for conclusion of proceedings
First day	
New Clauses, and amendments to Clauses, relating to Parts 3 and 4, New Clauses, and amendments to Clauses, relating to Part 7, New Clauses, and amendments to Clauses, relating to Part 8, and New Clauses, and amendments to Clauses, relating to correction of errors in development consent decisions or changes to, or revocation of, orders granting development consent.	7.30 p.m.
New Clauses, and amendments to Clauses, relating to Part 2.	The moment of interruption.
Second day	
New Clauses, and amendments to Clauses, relating to Chapter 2 of Part 9, and New Clauses, and amendments to Clauses, relating to Part 11.	7.00 p.m.
New Clauses, and amendments to Clauses, relating to functions of the Infrastructure Planning Commission or the Secretary of State in relation to applications for orders granting development consent, and remaining proceedings on consideration.	One hour before the moment of interruption.

5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on the second day.—*[John Healey.]*

3.32 pm

Mrs. Jacqui Lait (Beckenham) (Con): It is a pleasure to welcome my hon. Friend the Member for Crewe and Nantwich (Edward Timpson). It is sad, however, that the first business of the House that he will see is a programme motion under which the Government seek to hide from the demands of democracy.

The programme motion is a fig leaf to cover the embarrassment of the huge number of new clauses, new schedules and amendments—28 new clauses, six new schedules and 218 amendments. I acknowledge that some result from work we did in Committee and subsequent discussions, but after 10 years I would have thought that the Government had enough experience to get a Bill substantially right the first time. Many of the proposals are substantial and we need time to explore them. The groupings on the development consent regime are doubtless fascinating; they demand

[Mrs. Jacqui Lait]

exploration and provoke many questions. However, they should have been introduced in Committee and not on Report, when we have little time to explore their effect or decide whether they improve the Bill.

More importantly, the programme motion has been used to hide matters of fundamental principle. The Bill is profoundly undemocratic because it denies Parliament a substantive vote on national planning statements. Those statements, which we support in principle, cover the replacement of our crumbling infrastructure, whose effect we experienced with last week's near power blackout, and with the Prime Minister's conversion to more nuclear power stations. Where was he when the subject was kicked into the long grass by his predecessor—disappearing like Macavity? If such difficult decisions are to be made acceptable to the British public, we believe that Parliament should decide, not the Government. The debate on that takes place later this evening, as does the debate on climate change, which is also high up the political agenda. I hope that those debates will attract many participants, but it is a scandal, given how few Government Back Benchers are present, that such crucial issues are being consigned to the equivalent of the graveyard slot.

Next week, the even more important issue of the unelected and undemocratic infrastructure planning commission will also be consigned to the graveyard slot. Perhaps that is not unconnected with early-day motions 603 to 606, all of which were tabled by Government Back Benchers, and with amendments from the very same people, who have consistently and honourably opposed this dilution of democratic rights throughout the progress of the Bill.

The programme motion is designed to allow the Government to hide from the British public and from their responsibility to take the tough decisions that they were elected to take. On those grounds, we will vote against it.

3.35 pm

Dan Rogerson (North Cornwall) (LD): I had some disagreements with the hon. Member for Beckenham (Mrs. Lait) in Committee, but on this occasion I agree with her. Although some of the large number of Government amendments that we are being asked to consider are responses to the issues raised in Committee, as she said, they will take up a great deal of time that may have been of value to hon. Members who did not have the opportunity to serve on the Committee, but who want to debate some of the substantive issues. They include environmental concerns, which a number of organisations have raised, how national statements will address such concerns and, crucially, the scrutiny of those statements by this place and perhaps the other place.

Although it was good of the Minister to take the opportunity to explain to Opposition Front Benchers the Government's intention in respect of some provisions, Members who want to pay due attention to the important matters contained in the Bill—this is their first and indeed only opportunity to do so in detail—will want greater time to do so. In fact, the restrictions placed on some of those key discussions by the large amount of time that we shall be spending on other issues will be a disadvantage to hon. Members who wish to contribute. Therefore, I concur with the hon. Lady that the programme motion unfortunately does not do justice to the subject at hand.

3.37 pm

Mr. John Redwood (Wokingham) (Con): I rise to support the opposition to the programme motion. It is another travesty of democracy that we should be expected to be allocated time on a range of sensitive and important constitutional matters about how something as crucial as planning should be decided. It may be that there are provisions for which the time allocated by Ministers is too great. However, there will undoubtedly be occasions on which the issue is so important that many more Members would like to join in and to have the opportunity to be here, if only a more sensible time had been chosen for considering such matters.

I urge Ministers to think again, even now. It may be that we can consider the Bill in the total amount of time that they have made available, but they should allow the House to decide how that time is best spent and how the priorities should be reflected in that debate. Often, when we give people greater freedom, they show greater responsibility, and we get a better quality of debate that concentrates more on the issues that matter.

My hon. Friend the Member for Beckenham (Mrs. Lait) powerfully made the case that the Bill will set up an unelected quango to make extremely important decisions, whereas I and many of my constituents believe that there should be a stronger democratic input. I would add that many of my constituents feel that there should be more influence from the locality, not less. They do not feel that their local views are properly considered under the current process, because there is so much centralising, railroading and regional, overarching influence. The situation will be even worse if we have an unelected national quango making important decisions and forcing consequential decisions on local authorities once the main decision has been taken. We need proper time to debate safeguards and guarantees for local empowerment and influence over such decisions.

I am not one who wishes to stop every new development, and I certainly am not one who thinks that we need to resist all the important infrastructure and energy projects that this country is crying out for. The reason why such projects have been delayed in the past decade is not so much the planning system, but the Government, who have singularly failed to have a positive energy or transport policy. They have singularly failed to provide a framework in which the private sector can operate, or to make public funding available for public projects, so that that infrastructure can be put in place. They have wasted 11 years, and now come forward with this fig leaf of a Bill, saying that it was the planning system that was wrong. Eleven years into a Labour Government—somewhere near their end, we hope—they have decided that they can reform the planning permission system to try to accelerate the projects that they have prevented by chopping and changing, dithering and delaying and going to endless consultation on all the infrastructure issues to do with energy and transport.

I also wish to condemn the guillotine because the Bill contains a taxation measure that will provide the opportunity, through secondary regulation, to set up levies on development projects. I shall not go into whether that is good or bad, as I hope that we will have time to discuss that properly within the limits of the timetable motion, but such a tax measure is surely of some importance. It therefore deserves prime-time debate and as much time as the House thinks necessary to consider the whys and wherefores of the matter. It might restrict, defer or delay development, and we need the opportunity to probe, test and examine that case.

Above all, we need enough time to show that we are sick and tired of local communities being overridden by national and regional planners. We are sick and tired of mock consultations that go on for too long and do not take local opinion seriously. The Opposition do not want more delay, and we would welcome any sensible measure that reduced how long it takes to make important planning decisions, but the system has to understand the power and passion of local feeling and must find a way of coming to just decisions having taken those feelings seriously. The system proposed in the Bill would not do that, and it is a further democratic travesty that it is going to be railroaded through on a guillotine that will not leave enough time to debate some of the most sensitive issues and that might allow too much time for other issues.

I ask the Government to think again, please. They are so unpopular because they have damaged our Parliament and undermined our democracy. Do they really want to stand arraigned again today for a further body blow against our democracy? This is an attack on the right of our local communities to be heard on planning and an attack on the right of this House to examine serious measures for more public spending, more quangos and more taxation. The Government are in the dock, and they will be even more unpopular if they insist on driving the measure through.

3.42 pm

Sir Nicholas Winterton (Macclesfield) (Con): My right hon. Friend the Member for Wokingham (Mr. Redwood) is absolutely right. Indeed, the contributions of all those who have spoken in this short debate have been very appropriate. He referred particularly to the importance of people having a say locally about important strategic decisions that will impact on the communities in which they live. If we take that away by setting up an undemocratic bureaucracy, how will we ensure that local people have a real say?

My real purpose for rising is to say that what is happening today—putting through a programme motion that allows only two days' debate on a very important Bill—is an abuse of this House. I say to the Minister for Local Government, for whom I have considerable affection—he and I have met on several occasions regarding local issues and have found common ground—that he must surely accept that a Bill that will take away from Members of the House the opportunity to represent the interests of their constituents and the areas that they represent is a serious blow to democracy.

The purpose of Back Benchers is to hold the Government of the day to account and to scrutinise properly the legislation that they put before the House and for which they seek the House's approval. If there is inadequate time in which to do scrutinise it, that cannot be right as it does not permit this House to do what it is here to do.

Like my right hon. Friend the Member for Wokingham, I hope that even at this late stage the Government will review this timetable motion. It is not too late. If they value democracy, and if they are prepared to listen to people, they will know that the Bill is unpopular. It is even being opposed by some Labour Members, as well as by the Opposition parties whose duty it is to oppose it.

In recent years, I have taken a huge interest in the processes of the House and in our ability to do the job that we are here to do—namely, to scrutinise legislation and to hold the Government of the day to account. This is not the way to encourage people to have confidence in the House, and it is certainly not the way to encourage them to vote. The Government say that they want people to vote and to be involved, and they claim to support localism. The contents of the programme motion and much of the Bill certainly do not illustrate that.

I ask the Minister to think again and to respond to the genuine concerns of the Opposition. Some of the opposition to the Bill is coming from those on his own side of the House. We want this place to be respected. We want people out there to have confidence in the integrity of the House of Commons and in its ability to do the job that Members are here to do. I appreciate the difference between Front Benchers and Back Benchers. I have been here on the Back Benches for 37 years—*[Interruption.]* Not long enough? It is an important rôle, and I ask the Minister and the Government of the day to respect that fact.

Angela Watkinson (Upminster) (Con): Does my hon. Friend agree that the inordinate amount of Government amendments that have appeared on Report means that the Bill is barely recognisable compared with the one that went into Committee? This cannot be a good way for Parliament to conduct its business.

Sir Nicholas Winterton: In another role, I have made the observation that the Government of the day—not only Labour Governments, but my own party in government—have from time to time brought forward massive tranches of new clauses, new schedules and amendments to Bills. On many occasions, that has been done on Report. In the past, it was probably tolerated because there was no programme motion relating to remaining stages or Report. Now, we have programme motions that greatly limit the time that the House has to debate important strategic legislation.

This is important legislation. It will introduce a significant change to the way in which we deal with planning matters, which will impact on the people of this country. We have already heard mention of the number of new clauses and amendments that are being introduced on Report, when we have very limited time to discuss them. I must ask the Minister sincerely—perhaps he will think about this in the early hours of the morning—to consider whether this is the proper way to deal with legislation. Or are the Government simply determined to get their legislation through at all costs, however it is done and however democratic it is? Surely we deserve better from this Government.

3.48 pm

Mr. Paul Truswell (Pudsey) (Lab): It is not my intention to detain the House by using rhetorical flourishes like those that we have just heard from the hon. Member for Macclesfield (Sir Nicholas Winterton) and the right hon. Member for Wokingham (Mr. Redwood). I simply want to say to my hon. Friend the Minister for Local Government that he will be aware of the tremendous amount of concern among Back-Bench Labour Members about key aspects of the Bill, not least those relating to the role, status and powers of the infrastructure planning commission and to the mechanisms for public engagement in planning inquiries on major infrastructure projects. It should therefore come as no surprise to him that there is tremendous concern among Members—many of whom he has met to discuss these issues on a number of occasions—that these matters are to be compressed into a two-hour period next Monday night, which will itself be further truncated by any votes on the preceding group of amendments. I therefore hope that he understands why a number of my hon. Friends and I will be unable to support him in the Lobby when the House divides on this motion.

3.49 pm

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy) (PC): I support what has just been said. Frankly, I am astonished at the programme motion. Having served on the Public Bill Committee, I am beginning to wonder what on earth was the point of doing so. According to my mathematics, 110 Government amendments, 20 Government new clauses and several new schedules have been tabled. Really, that is a travesty of the whole process.

If we are talking about modernisation, as we often are, we should consider the fact that we now have a procedure whereby we take evidence from the public—the pre-legislative procedure. Typically, the Government take no notice whatever of what is said to them in the consultation process. It is a fig leaf. It is demeaning to the Government, as they will see if they think about it, and demeaning to every Member of the House that we are being pushed to deal with such an important Bill in the matter of minutes that the Government have deigned to allow for debate. It is absolutely atrocious.

Mr. Redwood: I have a lot of sympathy with the hon. Gentleman, who has given his time to this absurd procedure. Will he confirm that in Committee Ministers gave no ground on any sensible proposal suggested from the Opposition side, showing that they are not really engaged and that they do not care?

Mr. Llwyd: The right hon. Gentleman is absolutely correct. In some instances, when matters were being pushed, there was support from local government organisations, planning organisations, professional bodies—everybody outside who really knows about the subject. Nevertheless, everything was refused. During the Committee process, I felt—*[Interruption.]* The Minister shakes his head. One minor comma here or there was changed, but nothing much more.

To say that the Government were going to engage in the process is absolutely untrue. It calls into question the Public Bill Committee process if we cannot have reasonable debates and the Government responding properly to points that have been raised—not simply by Members, but by experts who brief Members. That is the important point. They are the people out there who will have to deal with these matters.

We are dealing with such things as new taxation procedure and the IPC, which appears to be highly undemocratic, and the Bill is important and rather drastic, so for the Government to come back and give us only minutes to deal with it is unacceptable. I for one will vote with the Opposition on this matter.

3.52 pm

Mr. Geoffrey Clifton-Brown (Cotswold) (Con): I am grateful to have caught your eye, Mr. Speaker.

I used to take part in debates such as this with the late and much-lamented right hon. Eric Forth. He railed against these timetable motions, which this Government invented when they came to office in 1997. I have not spoken in one of these debates lately, until this one. I am speaking—I have been driven to do so—because the motion is such a travesty of democracy, for two reasons. Some of the matters that I shall discuss have been alluded to by my hon. Friends.

First, my hon. Friends and the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd), who spoke for the Welsh nationalists, as well as the Minister for Local Government and the Under-Secretary of State for Communities and Local Government, the hon. Member for Gloucester (Mr. Dhanda), who are sitting on the Treasury Bench, spent 18 sittings in Committee, taking evidence during three and subjecting the Bill to so-called line-by-line examination in the remaining 15. So, one wonders what on earth they have been doing since the now Chief Secretary to the Treasury announced in a written statement on 9 October 2007—some eight months ago—that the Bill was to be introduced to the House.

Why have Ministers had to come forward today with 215 amendments, 28 new clauses and six new schedules? What on earth have they and their Department been doing? It is a complete travesty and a complete insult to the House to introduce a Bill so inadequately written that it has to be subjected to such major amendment. Indeed, it is an insult to the members of the Committee who debated the Bill line by line and are now having to debate a completely different Bill.

The second reason why I am moved to speak on the timetable motion is the fact that we are elected to represent our constituents and to produce good law. We are not elected to take away their rights. Their rights include the right to have their say in the planning process and the appeal process, and the right to be heard. The Bill will not only affect those involved in the planning process; property owners will be affected by the compulsory purchase provisions, as will become clear when we discuss the second group of amendments and new clauses. I hope that the Minister will consider ordinary citizens' right to have their say, not just during the proceedings of the infrastructure planning commission, to which one of the major groups of amendments refers, but on national policy statements and compulsory acquisition. If the Government railroad the Bill through in its present form, the citizens of this country will rue the day that they ever did it.

I was involved in the first planning Bill, whose Committee stage had to be reconvened because the Government had got it so badly wrong the first time. An entirely new Committee had to be formed to deal with that Bill. I wonder whether the Government will now end up in the courts time after time, dealing with complaints from ordinary citizens whose rights have been taken away and who have not been given an opportunity to be heard.

Sir Nicholas Winterton: Will my hon. Friend support my suggestion to the Procedure Committee that it should examine the way in which programme motions are working and conduct a full review of the procedure, leading to an important report?

Mr. Clifton-Brown: My hon. Friend makes an extremely good point. The Committee should examine not just programme motions, but the way in which the House does its business. If a Committee is to include a pre-legislative scrutiny element—

Mr. Speaker: Order. The hon. Gentleman is going too far. It is fine if he sticks to the subject of the programme motion, but he should not allow his speech to become any wider.

Mr. Clifton-Brown: Thank you, Mr. Speaker.

The House will need to examine its procedures, including those applying to programme motions. The programme motion relating to this Bill does not allow adequate time for what the Government are asking us to do, given the number of amendments, new clauses and new schedules that they have tabled.

3.56 pm

Sir Patrick Cormack (South Staffordshire) (Con): I did not intend to speak, but I shall say a few words.

When the late Douglas Jay stated all those years ago that the gentleman in Whitehall knows best, he was roundly and rightly derided by those who held to the philosophy that we share on these Benches, but at least he said it in an age when Parliament stood for something. When Bills were put before the House of Commons in that Parliament of 1945, and in every Parliament until that of 1997, they were discussed properly and adequately. Sometimes Governments resorted to guillotine motions, but each had to be introduced at the Dispatch Box and discussed not for 45 minutes but in a full debate, generally finishing at 10 pm and always lasting for at least three hours. When a Conservative Government were in power between 1979 and 1997, a number of us felt that we were going too far with guillotine motions, and on occasion some of us voted against them. Nevertheless, those motions specified an allocation of time that was generous in the extreme compared with what we have today.

Robert Key (Salisbury) (Con): Will my hon. Friend confirm that no Committee of the House would consider a guillotine motion until it had sat for 100 hours?

Sir Patrick Cormack: I was going to make that very point. I thank my hon. Friend for making it for me. Yes, guillotine motions were not introduced—either by dear Michael Foot when he was Leader of the House and dealt with five in a day, or by any member of my party—unless the Committee stage had almost ground to a halt because of the amount of time allotted to the Bill in question. The guillotine motion had to be justified, had to be advocated and had to be defended, and it was voted on. We now have the automatic programme motion, which represents, in effect, the emasculation of this place.

I sometimes wonder what is the point of this place. If I did not, deep down in my bones, believe in it, I would think "I have had enough". I stay here only because I want to see the day when Parliament is once again able to behave as a civilised Parliament in a civilised nation. It is utterly disgraceful.

I have a fond personal regard for the Minister, a decent man who is being made to do a very indecent thing today—to defend the indefensible. No one who truly believes in parliamentary democracy or that it is our duty critically to examine and scrutinise measures brought before us by the Government of the day can possibly defend what is now being done. It would be bad enough if this were just an ordinary Report stage, because the time given is not great, but as a number of colleagues have mentioned, this is effectively a new Bill, rewritten by the amendments listed on the Order Paper. Most of those amendments will not be discussed at all, although some will be referred to. I support strongly the suggestion made by my hon. Friend the Member for Macclesfield (Sir Nicholas Winterton) that the Procedure Committee should look at the issue of programming.

I make one final point, to support the brave words of the hon. Member for Pudsey (Mr. Truswell). I know what it is like, as does my hon. Friend the Member for Macclesfield, to speak out and vote against the Government of the day who in general measure one supports. It is not easy. But the fact that the hon. Gentleman, briefly and eloquently, said that he and a number of his colleagues could not support the motion ought to make the Minister realise that he has gone too far.

The Bill makes radical changes to our planning system and takes power away from the people, rather than giving it to them—something the Prime Minister is always harping on about. It takes power away, this very afternoon, from Parliament; again, the Prime Minister is always taking about that. The Bill makes utter nonsense of all his protestations to be a doughty defender of democracy and the champion of this place. The Prime Minister has taken away power from this place and continues to do so. He is taking away power from the people in the country, who have the right to have a true say in the planning process. It is a shoddy bit of work. It is a bad day for Parliament and the Government should be thoroughly ashamed of themselves.

4.2 pm

Mr. Peter Bone (Wellingborough) (Con): Pages 2375 to 2473 of today's Order Paper contain the amendments and new clauses that the Government are proposing.

[Mr. Peter Bone]

The Government are yet again trying to push through a measure that is controversial. They are determined, at every opportunity, to restrict debate on controversial matters. The Government do not get it. They should want to debate controversial measures rather than push them through. That is why they are failing and not communicating with the public.

In the last week that the House sat, we debated the Second Reading of what we might call the "Yes Minister" Bill. The debate lasted two hours and 44 minutes. There were three Conservative Back-Bench speakers, none from the Government and none from the Liberal Democrats. That left unused more than three hours that could have been used for debate. It seems that whenever something is not controversial, there is plenty of time to debate it, but there is no time to debate controversial things. The Lisbon treaty is another example. The Government brought in a measure to restrict the amount of time that we could debate an issue in Committee.

I urge the Government to think again. If they really want to communicate with the British public and put their ideas forward—if they really have a vision for Britain—let us debate that and not hide behind programming motions.

4.4 pm

The Minister for Local Government (John Healey): My reasons for moving this motion were straightforward. I had hoped that they would be welcomed in the interest of good debate, not least by some of those who are clearly coming to these issues for the first time, because we will largely be able to settle the points of concern once we reach the debate. It is true that the Bill is wide-ranging and important, which is why we have, unusually, provided two full days for the Report stage.

We had some vigorous debates in Committee. We reached a number of areas of shared ground and, if my memory serves me correctly, we finished the Committee stage early. The Government have reflected on a number of the points made in Committee and tabled amendments for consideration on Report accordingly. I have examined where the interest of the Committee lay and where the balance of interests is likely to lie on Report, and I have tried to allocate the time accordingly. It is true that we have tabled a substantial number of amendments for consideration on Report. Many of those are technical, many are minor in nature and many try to clarify points put to us in Committee and by some who have been interested in advising members of the Committee and Members of this House as the Bill progresses.

Mr. Redwood: The Minister is trying to sound reasonable, but he could prove that he is reasonable by allowing the House to decide how much time it needed on each set of amendments and new clauses. Why will he not do that? The Opposition are behaving honourably and seriously—they do not want to filibuster, although that would be against the rules anyway; they want to consider the issues, including the ones that matter most. Will he give us that opportunity?

John Healey: I have lived through this Bill since its start, including all the Committee sittings and evidence sessions, and I am trying to explain to the House that I made a judgment when allocating the time. I wanted to ensure that as much time as possible was given to covering those areas that are likely to be of most interest, and I hope that the right hon. Gentleman would accept that.

Mr. Clifton-Brown: The Minister is a cerebral man, and he has obviously done a great deal of reflecting on the Committee's deliberations in order to produce so many amendments. Why is he curbing the House's time for reflection so much?

John Healey: I am hardly curbing the House's time; I am ensuring that for more than two full days—particularly if we are able to get beyond this programme motion debate—we can debate the issues at stake on the Order Paper. Let me be clear that we have not sought to make fundamental changes to the scope or nature of the Bill; we have attempted to refine it, particularly in light of points made in Committee. This is far from being a new Bill, as some have tried to argue, although there are some areas of important amendment, not least those that we will consider tonight, which are about this House's ability to scrutinise strongly the new proposed national policy statements. Contrary to what the hon. Member for North Cornwall (Dan Rogerson) said, we want Members to give due attention to these provisions, and contrary to what the hon. Member for Beckenham (Mrs. Lait) has argued, this programme motion is designed to help and not hide debate on the main issues.

I respect the fact that there are Members of this House who speak fiercely on the point of principle on any programme motion, whatever the subject, but we have departed from the usual by giving two days to this consideration. We have spread the consideration over the full two days and we have allocated the time to where the debate and the interest is likely to be greatest. I commend the motion to the House.

Question put:—

The House divided: Ayes 248, Noes 193.

Division No. 204] **[4.8 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, rh Mr. Bob
Alexander, rh Mr. Douglas
Allen, Mr. Graham
Anderson, Janet
Austin, Mr. Ian
Bailey, Mr. Adrian
Baird, Vera
Balls, rh Ed
Banks, Gordon
Barlow, Ms Celia
Battle, rh John
Bayley, Hugh
Beckett, rh Margaret
Begg, Miss Anne
Benton, Mr. Joe
Berry, Roger
Betts, Mr. Clive
Blackman, Liz
Blackman-Woods, Dr. Roberta
Blears, rh Hazel
Blizzard, Mr. Bob
Blunkett, rh Mr. David
Borrow, Mr. David S.
Bradshaw, Mr. Ben
Brennan, Kevin
Brown, Lyn
Brown, Mr. Russell
Browne, rh Des
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, rh Andy
Butler, Ms Dawn
Cairns, David
Campbell, Mr. Alan
Caton, Mr. Martin
Cawsey, Mr. Ian
Chapman, Ben
Clapham, Mr. Michael
Clark, Paul
Clarke, rh Mr. Charles

Clarke, rh Mr. Tom
Coaker, Mr. Vernon
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Frank
Cooper, Rosie
Cooper, rh Yvette
Cousins, Jim
Crausby, Mr. David
Cruddas, Jon
Cryer, Mrs. Ann
Cummings, John
Cunningham, Mr. Jim
David, Mr. Wayne
Dean, Mrs. Janet
Devine, Mr. Jim
Dhanda, Mr. Parmjit
Dismore, Mr. Andrew
Dobson, rh Frank
Donohoe, Mr. Brian H.
Doran, Mr. Frank
Dowd, Jim
Eagle, Angela
Eagle, Maria
Efford, Clive
Ellman, Mrs. Louise
Ennis, Jeff
Field, rh Mr. Frank
Flello, Mr. Robert
Flynn, Paul
Follett, Barbara
Foster, Mr. Michael *(Worcester)*
Francis, Dr. Hywel
Gapes, Mike
Gardiner, Barry
George, rh Mr. Bruce
Gerrard, Mr. Neil
Gibson, Dr. Ian
Gilroy, Linda
Goggins, Paul
Goodman, Helen
Griffith, Nia
Griffiths, Nigel
Gwynne, Andrew
Hall, Mr. Mike
Hall, Patrick
Hamilton, Mr. David
Hanson, rh Mr. David
Harman, rh Ms Harriet
Harris, Mr. Tom
Havard, Mr. Dai
Healey, John
Hendrick, Mr. Mark
Hepburn, Mr. Stephen
Heppell, Mr. John
Hesford, Stephen
Heyes, David
Hillier, Meg
Hodge, rh Margaret
Hodgson, Mrs. Sharon
Hoey, Kate
Hoon, rh Mr. Geoffrey
Hope, Phil
Hopkins, Kelvin
Howells, Dr. Kim
Hoyle, Mr. Lindsay
Humble, Mrs. Joan
Iddon, Dr. Brian
Ingram, rh Mr. Adam
Irranca-Davies, Huw
Jackson, Glenda
James, Mrs. Siân C.
Jenkins, Mr. Brian
Johnson, rh Alan
Johnson, Ms Diana R.
Jones, Helen
Jowell, rh Tessa
Kaufman, rh Sir Gerald
Keeble, Ms Sally
Keeley, Barbara
Keen, Alan
Keen, Ann
Kelly, rh Ruth
Kemp, Mr. Fraser
Kennedy, rh Jane
Khan, Mr. Sadiq
Kidney, Mr. David
Knight, Jim
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, Mr. David
Lazarowicz, Mark
Lepper, David
Levitt, Tom
Linton, Martin
Lloyd, Tony
Love, Mr. Andrew
Lucas, Ian
Mackinlay, Andrew
MacShane, rh Mr. Denis
Mactaggart, Fiona
Malik, Mr. Shahid
Mann, John
Marsden, Mr. Gordon
McAvoy, rh Mr. Thomas
McCabe, Steve
McCafferty, Chris
McCarthy-Fry, Sarah
McCartney, rh Mr. Ian
McFadden, Mr. Pat
McGuire, Mrs. Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
McNulty, rh Mr. Tony
Michael, rh Alun
Miliband, rh David
Miller, Andrew
Mitchell, Mr. Austin
Moffatt, Laura
Mole, Chris
Moon, Mrs. Madeleine
Morden, Jessica
Morgan, Julie
Mudie, Mr. George
Mullin, Mr. Chris
Munn, Meg
Murphy, Mr. Jim
Murphy, rh Mr. Paul
Norris, Dan
O'Brien, Mr. Mike
Olner, Mr. Bill
Osborne, Sandra
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Plaskitt, Mr. James
Pound, Stephen
Prentice, Mr. Gordon
Prosser, Gwyn
Purchase, Mr. Ken
Purnell, rh James
Raynsford, rh Mr. Nick
Reed, Mr. Andy
Reed, Mr. Jamie
Reid, rh John
Riordan, Mrs. Linda
Robertson, John
Robinson, Mr. Geoffrey
Rooney, Mr. Terry
Roy, Mr. Frank
Ruane, Chris
Ruddock, Joan
Russell, Christine
Ryan, rh Joan
Salter, Martin
Seabeck, Alison
Sharma, Mr. Virendra
Shaw, Jonathan
Sheridan, Jim
Simon, Mr. Siôn
Singh, Mr. Marsha
Skinner, Mr. Dennis
Slaughter, Mr. Andy
Smith, rh Mr. Andrew
Smith, Ms Angela C. *(Sheffield, Hillsborough)*
Smith, Angela E. *(Basildon)*
Smith, rh Jacqui
Snelgrove, Anne
Soulsby, Sir Peter
Southworth, Helen
Spellar, rh Mr. John
Starkey, Dr. Phyllis
Stewart, Ian
Strang, rh Dr. Gavin
Straw, rh Mr. Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Mr. Gerry
Tami, Mark
Thornberry, Emily
Timms, rh Mr. Stephen
Todd, Mr. Mark
Touhig, rh Mr. Don
Trickett, Jon
Turner, Dr. Desmond
Turner, Mr. Neil
Vaz, rh Keith
Walley, Joan
Waltho, Lynda
Ward, Claire
Watson, Mr. Tom
Watts, Mr. Dave
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Mr. Alan
Wills, Mr. Michael
Wilson, Phil
Winnick, Mr. David
Winterton, rh Ms Rosie
Woolas, Mr. Phil
Wright, David
Wyatt, Derek

Tellers for the Ayes:
Tony Cunningham and Siobhain McDonagh

NOES

Afriyie, Adam
Ainsworth, Mr. Peter
Amess, Mr. David
Ancram, rh Mr. Michael
Arbuthnot, rh Mr. James
Atkinson, Mr. Peter
Bacon, Mr. Richard
Barker, Gregory
Barrett, John
Bellingham, Mr. Henry
Benyon, Mr. Richard
Beresford, Sir Paul
Binley, Mr. Brian
Blunt, Mr. Crispin
Bone, Mr. Peter
Boswell, Mr. Tim
Bottomley, Peter
Brady, Mr. Graham
Brazier, Mr. Julian
Breed, Mr. Colin
Brokenshire, James
Brooke, Annette
Browne, Mr. Jeremy
Browning, Angela
Bruce, rh Malcolm
Burns, Mr. Simon
Burrowes, Mr. David
Burt, Alistair
Butterfill, Sir John
Campbell, rh Sir Menzies
Carswell, Mr. Douglas
Clark, Greg
Clarke, rh Mr. Kenneth
Clifton-Brown, Mr. Geoffrey
Corbyn, Jeremy
Cormack, Sir Patrick
Cox, Mr. Geoffrey
Crabb, Mr. Stephen
Curry, rh Mr. David
Davies, Mr. Dai
Davies, David T.C. *(Monmouth)*
Davies, Philip
Djanogly, Mr. Jonathan
Dorries, Mrs. Nadine
Drew, Mr. David
Duddridge, James
Duncan, Alan
Duncan Smith, rh Mr. Iain
Dunne, Mr. Philip
Ellwood, Mr. Tobias
Evans, Mr. Nigel
Evennett, Mr. David
Fabricant, Michael
Fallon, Mr. Michael
Farron, Tim
Featherstone, Lynne
Field, Mr. Mark
Foster, Mr. Don
Fox, Dr. Liam
Francois, Mr. Mark
Fraser, Christopher
Gale, Mr. Roger
Garnier, Mr. Edward
Gauke, Mr. David
Gibb, Mr. Nick
Gillan, Mrs. Cheryl
Goodman, Mr. Paul
Goodwill, Mr. Robert
Gove, Michael
Gray, Mr. James
Green, Damian

Greening, Justine
Grieve, Mr. Dominic
Grogan, Mr. John
Gummer, rh Mr. John
Hague, rh Mr. William
Hammond, Mr. Philip
Hammond, Stephen
Hands, Mr. Greg
Harper, Mr. Mark
Harris, Dr. Evan
Harvey, Nick
Heald, Mr. Oliver
Heath, Mr. David
Hemming, John
Hendry, Charles
Herbert, Nick
Hoban, Mr. Mark
Hogg, rh Mr. Douglas
Hollobone, Mr. Philip
Holloway, Mr. Adam
Horam, Mr. John
Howard, rh Mr. Michael
Howarth, David
Howarth, Mr. Gerald
Hunt, Mr. Jeremy
Jones, Mr. David
Kawczynski, Daniel
Key, Robert
Kirkbride, Miss Julie
Knight, rh Mr. Greg
Laing, Mrs. Eleanor
Lait, Mrs. Jacqui
Lansley, Mr. Andrew
Leech, Mr. John
Leigh, Mr. Edward
Letwin, rh Mr. Oliver
Lewis, Dr. Julian
Liddell-Grainger, Mr. Ian
Lidington, Mr. David
Lilley, rh Mr. Peter
Llwyd, Mr. Elfyn
Loughton, Tim
Luff, Peter
Maclean, rh David
Main, Anne
Maples, Mr. John
May, rh Mrs. Theresa
McDonnell, John
McIntosh, Miss Anne
McLoughlin, rh Mr. Patrick
Mercer, Patrick
Milton, Anne
Moss, Mr. Malcolm
Mulholland, Greg
Murrison, Dr. Andrew
Newmark, Mr. Brooks
Oaten, Mr. Mark
Osborne, Mr. George
Paice, Mr. James
Paterson, Mr. Owen
Penning, Mike
Penrose, John
Pickles, Mr. Eric
Prisk, Mr. Mark
Pritchard, Mark
Pugh, Dr. John
Randall, Mr. John
Redwood, rh Mr. John
Reid, Mr. Alan
Rennie, Willie
Robathan, Mr. Andrew
Robertson, Hugh
Robertson, Mr. Laurence
Rogerson, Dan
Ruffley, Mr. David
Russell, Bob
Sanders, Mr. Adrian
Scott, Mr. Lee
Selous, Andrew
Shepherd, Mr. Richard
Simmonds, Mark
Simpson, David
Simpson, Mr. Keith
Smith, Sir Robert
Soames, Mr. Nicholas
Spelman, Mrs. Caroline
Spicer, Sir Michael
Spink, Bob
Spring, Mr. Richard
Steen, Mr. Anthony
Streeter, Mr. Gary
Stuart, Mr. Graham
Stunell, Andrew
Swayne, Mr. Desmond
Swinson, Jo
Swire, Mr. Hugo
Syms, Mr. Robert
Tapsell, Sir Peter
Taylor, David
Taylor, Matthew
Taylor, Dr. Richard
Thurso, John
Timpson, Edward
Tredinnick, David
Truswell, Mr. Paul
Tyrie, Mr. Andrew
Vara, Mr. Shailesh
Villiers, Mrs. Theresa
Walker, Mr. Charles
Waterson, Mr. Nigel
Watkinson, Angela
Whittingdale, Mr. John
Wiggin, Bill
Williams, Mark
Willis, Mr. Phil
Willott, Jenny
Wilson, Mr. Rob
Winterton, Ann
Winterton, Sir Nicholas
Wishart, Pete
Wright, Jeremy
Young, rh Sir George

Tellers for the Noes:
Mr. John Baron and
Mr. Nick Hurd

Question accordingly agreed to.

Orders of the Day

Planning Bill

[1st alloted day]

[Relevant documents: the letter from the Chairman of the Joint Committee on Human Rights to the Secretary of State for Communities and Local Government of 3rd April and the Minister for Local Government's letter of reply of 16th April.]

As amended in the Public Bill Committee, considered.

New Clause 9

Highways

'(1) Highway-related development is within section 13(1)(g) only if the development is—

(a) construction of a highway in a case within subsection (2),

(b) improvement of a highway in a case within subsection (3), or

(c) alteration of a highway in a case within subsection (4).

(2) Construction of a highway is within this subsection only if the highway will (when constructed) be wholly in England and—

(a) the Secretary of State will be the highway authority for the highway, or

(b) the highway is to be constructed for a purpose connected with a highway for which the Secretary of State is (or will be) the highway authority.

(3) Improvement of a highway is within this subsection only if—

(a) the highway is wholly in England,

(b) the Secretary of State is the highway authority for the highway, and

(c) the improvement is likely to have a significant effect on the environment.

(4) Alteration of a highway is within this subsection only if—

(a) the highway is wholly in England,

(b) the alteration is to be carried out by or on behalf of the Secretary of State, and

(c) the highway is to be altered for a purpose connected with a highway for which the Secretary of State is (or will be) the highway authority.'.—*[John Healey.]*

Brought up, and read the First time.

4.24 pm

The Minister for Local Government (John Healey): I beg to move, That the clause be read a Second time.

Mr. Speaker: With this it will be convenient to discuss the following: Government new clause 10—*Railways.*

Government amendments Nos. 77 and 78.

Amendment No. 325, in clause 14, page 8, line 12, leave out 'or Wales'.

Amendment No. 315, in clause 19, page 11, line 10, after 'authorisation)', insert

'or a pipe-line laid by a gas transporter holding a licence pursuant to section 91(a) of the Gas Act 1986 and which requires consent under regulation 14 of the Public Gas Transporter Pipe-line Works (Environmental Impact Assessment) Regulations 1999'.

Government amendment No. 79

Amendment No. 331, in clause 20, page 12, line 18, leave out paragraph (a).

Amendment No. 332, page 12, line 23, leave out paragraph (d).

Amendment No. 333, line 30, leave out 'trunk road or'.

Amendment No. 334, line 32, leave out 'trunk road or'.

Amendment No. 335, line 37, leave out 'trunk road or'.

Amendment No. 336, line 38, leave out 'trunk road or'.

Amendment No. 337, line 41, leave out 'cycle track'.

Amendment No. 338, line 42, leave out 'footpath'.

Government amendments Nos. 80 to 88.

Amendment No. 316, in clause 31, page 19, line 32, at end insert—

> '(l) consent under regulation 14 of the Public Gas Transporter Pipe-line Works (Environmental Impact Assessment) Regulations 1999.'.

Government amendments Nos. 89 to 92, 158 to 160, 249, 251, 253 and 254.

John Healey: I am delighted to move new clause 9, which sets off the debate on a series of provisions on developments for which consent is required or can be granted.

This group of amendments includes a number tabled by the Government, which make significant changes to the thresholds for highway, railway and airport development. There are also changes ensuring that clusters of projects are dealt with correctly and reflect some of the concerns raised in Committee. There are amendments tabled by Opposition Members and two from my hon. Friend the Member for Paisley and Renfrewshire, North (Jim Sheridan).

New clause 9 and amendments Nos. 79, 90, 91, 158 to 160, 249, 251, 253 and 254 are intended to clarify the type of highway project that is captured in the Bill. I hope that hon. Members will see that the amendments make the highways threshold considerably simpler. They are the result of work undertaken to reflect points put to us in Committee, and points of concern put to us by other interested parties about the complexity of the Bill as originally drafted. To some extent, that complexity cannot be avoided, as the Bill draws numerous pieces of legislation together in a single consent regime for the first time—a prize and a policy aim for which there is, I think, broad support in all parts of the House. That was certainly the case in Committee.

The principal change in new clause 9 is that we are setting out three clear types of highway development in England that will be put before the infrastructure planning commission for determination. The first type concerns a development that is, or will be, constructed for the purposes of a highway on the strategic road network—roads for which the Secretary of State is, or will be, the highway authority. The second type of development is the improvement of a highway on the strategic road network that will have a significant impact on the environment. The third is an alteration of a highway that is being carried out by, or on behalf of, the Secretary of State for a purpose connected with a highway on the strategic road network.

Decisions on all those projects are currently made by the Secretary of State, so let me make it clear to the House that there is no question of taking from local decision making, or of there being an impact on local decision making. I should also stress that the clauses clarify the existing threshold. They will not result in additional projects going before the IPC for determination. I now turn to amendments Nos. 331 to 338, tabled by the hon. Member for North Cornwall (Dan Rogerson).

Mr. Geoffrey Clifton-Brown (Cotswold) (Con): I chided the Minister rather hard in the previous debate, but may I ask him a question gently, in a spirit of good will? New clause 9, along with a large number of other clauses, applies to England only. With the greatest good will in the world, how will the Bill work when the provisions for England are so different from the provisions for the rest of the United Kingdom? For example, if the powers in new clause 9 were to be invoked in relation to a road that ran from England to Wales, how would the development be dealt with?

John Healey: When we published the White Paper on the planning system and our proposals for reform last year, we recognised that certain planning matters are devolved. The devolution settlement was generally working well, and we did not set out to change it in the Bill. That is why, under new clause 9 and the amendments in the group, where there are matters for the Secretary of State relating to England and English roads, they can be passed to the IPC for determination. Decisions of that sort in Scotland or in Wales might be variously devolved and therefore will not be matters that we put to the IPC. That is the reason for the difference.

I turn to the amendments tabled by the hon. Member for North Cornwall. As we said in Committee—the Under-Secretary, my hon. Friend the Member for Poplar and Canning Town (Jim Fitzpatrick), dealt with these parts of the Bill in Committee—most motorways and some A roads are indeed strategic roads that are essential to the economic functioning and prosperity of the country, allowing people and goods to move quickly and efficiently. In all cases, if a road is a trunk road, the Secretary of State will be the highway authority: the new clause and related amendments will have no impact on local decision making. Those roads will remain defined under the provisions as nationally significant infrastructure and therefore a matter for the IPC.

4.30 pm

In Committee, the hon. Gentleman also raised Committee cycle tracks and footpaths, to which the old definition applied. The Secretary of State can currently include provisions about cycle tracks and footpaths in a Highways Act order, where such paths are created or diverted in connection with a wider development to a main carriageway on a strategic road. But as my hon. Friend the Minister said in Committee, there are instances where cycle tracks and footpaths closely connected to developments on the strategic road network can be considered in isolation. There are examples, such as work going on alongside the A38 at present. We believe, however—this explains why we have set it out—that it is appropriate that where works are proposed to parts of the strategic road network, they should go to the IPC in the normal way as part of the package of proposals for the development.

New clause 10 and amendments Nos. 78 and 85 replace the current railways threshold with a more detailed definition of the types of railway development that should go to the IPC for consideration and respond to the points made in Committee by the hon. Members for Carshalton and Wallington (Tom Brake) and for Beckenham (Mrs. Lait). Their concern was that the railways clause as drafted was too broad and that it would appear, for instance, to capture heritage railways and some tramway systems, which are classed as railways under the Transport and Works Act 1992, but it is not our intention that they should be determined by the IPC.

As promised in Committee, having looked at these concerns, I am happy to confirm that new clause 10 will achieve the effect that the hon. Lady and the hon. Gentleman were seeking. The intention is that under the new threshold the IPC will consider only applications relating to the rail network operated by Network Rail or a subsidiary of it, including the Heathrow spur rail link and the channel tunnel rail link—in other words, those routes commonly known as the national rail network.

On the intensification of use of airports and the airports threshold, amendments Nos. 77, 80 to 84, 86 and 87 ensure that the airports threshold is wide enough to capture any airport development that creates additional capacity at that airport by at least 10 million passengers a year or 10,000 air transport movements per year in relation to freight. In particular, it covers situations other than the physical development of a new or extended runway or the development of terminal buildings or an air traffic control mast, which would mean that more passengers could use an airport. It seemed to us an anomaly that the new planning system should deal with a significant increase in capacity at airports only when that was the result of physical development, not by the lifting of a planning condition that may currently restrict the number of flights or movements. The thresholds for what constitutes a nationally significant infrastructure project should capture a change of that magnitude in the use of an airport, even if no physical development were needed to bring that change about. Our amendments will ensure that such changes are considered in the framework of the new national policy statement and that they are given the same independent expert scrutiny as other major airport developments.

Mr. David Jones (Clwyd, West) (Con): As recently amended, the Bill specifically brings aircraft and air passenger movements into the realm of the planning system. What regime currently governs passenger and air movements in airports? I understand that a Civil Aviation Authority licence is involved in the cases of Heathrow and Gatwick, but will the Minister explain the position for the rest of the country?

John Healey *rose—*

John McDonnell (Hayes and Harlington) (Lab): Will my hon. Friend give way at an appropriate moment?

John Healey: I will happily give way to my hon. Friend in a moment. He is an expert on these matters and has a strong constituency interest in and track record on the issues that we are discussing. I shall give way to him and then deal with any necessary points from both interventions.

John McDonnell: On a point of clarity, will the Minister confirm that what we are referring to is, for example, the potential for the lifting of the Cranford agreement or changes on runway alternation to be included in the legislation?

John Healey: Any changes to, and therefore increase in, the use of an airport that lead to an additional 10 million or more passengers a year or to an additional 10,000 or more freight movements a year—whatever the source—should be considered, within the new planning system in the context of the new national policy statements, as physical developments; they might lead to the same impact. Stansted is an example. At that airport, there is an application relating to the lifting of a planning condition that restricts the number of flights. If such an application went ahead, there could be an increase in the number of passengers. To be consistent, such a change would be brought within the new system. That is what we propose.

John McDonnell: It would be invaluable if Members whose constituencies, in west London and beyond, are affected by Heathrow, got absolute clarity on this matter with regard to the Cranford agreement and runway alternation at Heathrow. At some time during the debate, will the Minister clarify whether he is now saying that the amendments tabled by the Government would enable those agreements to be changed or lifted in some way as a result of this process? That could result in a significant increase in air traffic movements at Heathrow without there being any physical infrastructural developments.

John Healey: To the extent that I can give such clarification and that it is necessary to go beyond what I have already explained in order to do so, I will.

Mr. Clifton-Brown: What we are discussing is one of the most controversial aspects of the Bill in relation to air travel, and it would be useful to have it clarified. To understand how these amendments and clauses work, may I ask whether, in future, that extra runway at Stansted—to take the Minister's example—would already have been subject to an examination in respect of a national policy statement? In other words, will the infrastructure planning commission operate in a climate in which a national policy statement will already say whether there should be another runway at Heathrow, Stansted, Gatwick or wherever?

John Healey: I hope that the hon. Gentleman will stick around for the whole debate, because we will come later to the question of national policy statements, what properly constitutes them and what stages of public consultation, parliamentary scrutiny and environmental appraisal are required before such statements can be put in place. Only when such a statement is in place can the IPC consider an eligible application for a major development project within the relevant territory. That basis would have to be properly put in place before the new system could activate to consider an application that, under the terms of these provisions, would meet the thresholds that we set out.

Turning to clusters and our amendment No. 92, we had a useful debate in Committee about the circumstances in which the Secretary of State might direct a series of proposed projects to the IPC. The amendment clarifies our intention that where a series of projects that fall below the threshold are proposed for similar infrastructure projects, the Secretary of State may direct them to the IPC as being collectively of national significance, thereby reflecting the potential cumulative impact that such clusters of projects can have on an area. The hon. Member for North Cornwall is well aware of that from his own area. I stress, however, that we envisage that that ministerial power of direction would be exercised on the basis of clear criteria set out in a ministerial statement or in the national policy statement itself. Furthermore, we would expect it to be used comparatively rarely and to deal largely with circumstances that were impossible to predict, such as changing technology, changing circumstances in a particular sector, or situations where several projects have come forward in close proximity to each other and are therefore likely to have a cumulative impact requiring consideration as a whole. I hope that hon. Members accept that this is a sensible flexibility in the system that will allow us to deal with appropriate but unforeseen circumstances.

Mrs. Jacqui Lait (Beckenham) (Con): Will the Minister confirm, purely for the record, that his proposals on clusters will not be applied to eco-towns?

John Healey: It is hard to see how eco-towns would fall within the Bill's provisions, not least because they are housing developments, which are not proposed as eligible major infrastructure projects for the new system of IPC consideration and determination.

Let me respond to the points raised in Committee by the hon. Member for Beckenham when we discussed how multiple applications or multiple projects considered as a whole in one application could work. The mechanisms by which the IPC considers separate applications together will be outlined in the relevant national policy statement, in the terms of the Secretary of State's direction, and in other relevant IPC standards and guidance. We intend that where separate projects are directed to the IPC to be treated together, the promoters will be required to work together to create a harmonised set of documentation for the ease not only of the IPC but, importantly, of the public and other local interests that might want to have a significant say on such an application.

I will touch briefly on two other important issues dealt with in this group of amendments. The first is raised by my hon. Friend the Member for Paisley and Renfrewshire, North (Jim Sheridan) in his amendments Nos. 315 and 316, which relate to high-pressure pipelines constructed by licence—gas transporters. He has pursued that subject strongly over the past few months. As I said, the aim of the Bill is to simplify and streamline the planning system for major infrastructure projects. The industry has raised the issue of larger gas transporter pipelines, which can sometimes require a number of other consents. We regard this as raising several important matters, as my hon. Friend has rightly argued. We have a number of practical points to explore further with the industry, and we have to do that before we come to a firm decision on whether those pipeline projects should be considered by the IPC.

Jim Sheridan (Paisley and Renfrewshire, North) (Lab): On those practical points, would the Minister consider meeting people from the industry at an early stage to discuss the security aspects and the environmental ones?

John Healey: My hon. Friend pre-empts me. I was going to suggest that he broker a meeting with my leading officials—if not with me—so that we can take the process a stage further. We could assess the impact of the industry's proposal and see how it would fit within the established devolution, and assess the extent to which the existing system of permitted development is working well. If my hon. Friend were prepared to broker such a meeting, it would be an important and useful next step.

4.45 pm

Finally, I come to amendment No. 325, which the hon. Member for Montgomeryshire (Lembit Öpik) tabled. I suspect that behind the amendment lies a request to the Government to devolve the consideration of the applications to Welsh Ministers. We have had detailed discussions, not just with the Department for Business, Enterprise and Regulatory Reform but with the Welsh Assembly Government and the Wales Office. Consistent with what I said earlier, we do not want to change the devolution settlement through this Bill , but to respect its significant points.

The best approach for the long-term energy needs of this country is to develop reserve powers on nationally significant energy infrastructure, including the sort of power stations covered by the amendment. We made it clear in the White Paper that we did not propose to change the devolution settlement, so we have been consistent in our approach to the issue. Given that position, it is clear that such projects should be included within the IPC's remit; they would benefit from a quicker, more effective system of determination and consideration that gives a reinforced role to the public and enables them to have their say. I am not sure that it would serve Wales well if applications for major new generating stations there used the old regime while their equivalents in England used the new regime.

I hope that that helped the House. I hope that I have explained matters and convinced Members that the Government's new clauses and amendments will reinforce and strengthen the Bill, and that their intent is one that the House can support. I hope that those of my hon. Friends and Opposition Members who tabled amendments can see that we have dealt with the issues about which they are concerned. I hope, therefore, that they will not find it necessary to press any of their amendments to a vote. If they do, I shall have to ask my hon. Friends to resist.

Mr. David Jones: This is the first group of a large number of Government amendments—they are overwhelmingly of a technical nature—that we have to

[Mr. David Jones]

consider. As we heard, the large number of amendments has taken those who served in Committee by surprise. The amendments are extensive, and for the most part they are significant. To a considerable extent, the amendments appear to address matters that should have been considered long before the Bill was published—certainly not later than the Committee sittings. In fact, some of the amendments amend amendments that were made in Committee. It is fairly obvious that amendments have been tabled as a result of pressure on the Minister from other Whitehall Departments, which have clearly been crawling all over the Bill, having their four pennies' worth.

The most significant amendments, as the Minister said, are new clauses 9 and 10. By virtue of amendment No. 79, clause 20, which deals with nationally significant highway projects, is deleted altogether, while new clause 9 substitutes a definition of "highway-related development". New clause 9 is largely welcome, given that it appears to avoid the risk of small-scale highway projects falling within the definition of "nationally significant infrastructure project". Members of the Committee were concerned that including smaller scale projects could clog up the development consent system and so defeat the object of streamlining the consents process. The Local Government Association expressed the view that local authorities should continue to maintain their role on trunk roads, particularly the smaller and less used ones. It is therefore good that the Government have acknowledged the force of the arguments expressed in Committee and by the LGA, by effectively restricting the IPC procedure to major trunk road projects.

However, as my hon. Friend the Member for Cotswold (Mr. Clifton-Brown) pointed out in his intervention, it is notable that the development consent route is available only for roads wholly contained in England; Wales and Scotland are excluded, as are cross-border routes. The issue of cross-border routes is particularly contentious. The Government have made it clear throughout the passage of the Bill—in fact, the Minister just reiterated this—that they are reluctant to disturb the devolution settlement. That is quite understandable. Nevertheless, it is hard to see why such an important Bill could not have been introduced with the co-operation and support of the Welsh Assembly Government and the Scottish Executive, so as to ensure that the streamlined development consent process, which the Government are so keen on, could apply to cross-border highway routes.

The matter was raised in Committee. I had hoped that the Government would liaise with their colleagues in the devolved Administrations, to see whether it was possible to extend the development consent procedure to cross-border highways. As it is, consents relating to both ends of new cross-border routes will have to be considered under the existing disparate procedure. As I am sure the Minister will be well aware, that procedure has resulted in some cross-border routes not being completed as quickly as they should be.

A prime example—I relate this with feeling—is the A5117 link road between the M56 and the A55 north Wales expressway. That route has taken an inordinately long time to complete; in fact, it is still in construction as I speak. If devolution is to work sensibly, there is no reason why the Government should not liaise with the devolved Administrations to see whether it is possible to bring uniformity to matters as important as those that we are considering today. Perhaps the Minister will indicate whether the opportunity was taken to liaise with the devolved Administration in respect of that matter and whether he feels that an opportunity was missed to improve cross-border road networks.

Mr. Clifton-Brown: I am sure that my hon. Friend knows this better than I do, but in that respect the Bill applies not only to roads, but to railways. Is it not folly that a major road or rail scheme might get to the boundary of Scotland or Wales, but then face inordinate delays in reaching its final destination, thereby watering down the whole purpose of the scheme?

Mr. Jones: My hon. Friend is quite right. As I have said, that is the very problem that travellers along the north Wales coastal road have experienced for many years, as a consequence of the delayed completion of the A5117 link. He is right, too, that the regime applies also to railways. The concern is that devolution, which is supposed to work for the benefit of the residents of the devolved Administrations, is perhaps being applied too strictly, to the extent that it is penalising those people.

The Minister mentioned the amendments to the regime concerning railways. New clause 10 is a substitute for the old clause 23, and provides a new definition of the construction or alteration of a railway. It is the second such amendment of the clause. In essence, the new clause raises the railway threshold so that it relates only to strategic rail links and not to light tramways or guided transport. Again, the Government, to their credit, appear to have listened to the concerns that were expressed in Committee, where Members said that tramways should properly be in the domain of the local planning authority and not the infrastructure planning commission.

Subsections (1)(c) and (2)(c) of the new clause provide that the construction or alteration of a railway carried out pursuant to permitted development, which is

> "development in relation to which planning permission is granted by article 3 of the Town and Country Planning (General Permitted Development) Order 1995",

is specifically excluded. As the Minister will be aware, part 17 of the 1995 order provides that permitted development is:

> "Development by railway undertakers on their operational land, required in connection with the movement of traffic by rail."

It is interesting that the new clause does not disturb that.

One can fully understand the need for the GPD regime to be preserved in respect of railways, but will the Minister explain why Network Rail, uniquely among statutory undertakers, should have those rights preserved? As far as I can see, permitted rights are not being preserved for other statutory undertakers—specifically, as I hope to discuss later, the operators of ports and harbours. Will the Minister explain why it is thought proper to preserve those GPD rights in relation to railways but not for other statutory undertakers?

The Minister mentioned the amendments on airports. Amendments Nos. 77, 81, 82, 83 and 84 all relate to air transport. Their effect is to ensure that where there is an existing restriction on the number of passenger movements or cargo aircraft movements at an airport, any proposal to increase the annual use of the airport by more than 10 million passengers or 10,000 air transport movements of cargo aircraft will be a matter for the new single development consent process. The Minister has said that that will apply even if the promoter does not propose the physical development of the site.

I have asked the Minister which regimes currently govern passenger and air cargo movements per se—those that are unrelated to physical alterations to the airport—and I understand that the Civil Aviation Authority is responsible for a licensing regime in respect of Gatwick and Heathrow. The Minister has indicated that the planning regime is already used for other matters, but that would, I imagine, be in respect of physical development, because it is clear from the amendments that passenger and air transport movements, per se, are being brought within the planning process for the first time.

Speaking entirely as a lay person, I find it hard to see how the significant intensification of an airport's use by so many additional traffic movements could be accommodated without at least some physical development of the site. That might simply mean more lavatories in the air terminal, but more car parks and reception facilities might also be needed. I should think, therefore, that applications seeking consent for increased air traffic movements, in isolation, will be relatively rare, but one can imagine how disturbing such applications will be to residents of neighbouring properties and even of properties some miles away from the airport. To put it bluntly, there is extreme concern that such applications will result in a large number of irate householders complaining about the disturbance that they are likely to experience as a result. We shall debate the subject of the IPC at a later date, but this seems to be a prime example of a situation in which it is right for there to be political accountability and transparency, and for a Minister to be answerable for a policy, in the House, to the Members of Parliament who represent the aggrieved householders. Given the sensitivity of these proposals, what assurance can the Minister give us that the interests of aggrieved neighbours will be properly represented in respect of such applications?

5 pm

The Minister referred to amendment No. 92, and to the clustering of developments. The amendment would provide that such clusters may be the subject of a direction by the Secretary of State to be treated as an application for an order granting development consent. That is welcome, given the potential impact of the proliferation of a number of applications for the same kind of development in the same area. Prime examples nowadays are applications for the development of a number of wind farms, each of which is just below the 50 MW onshore capacity limit. It is quite right that the impact of such applications should be given consideration as a development of nationally significant importance. Individually, such applications are usually made to the Department for Business, Enterprise and Regulatory Reform under the Electricity Act 1989.

However, the provisions in clause 33, as amended, relate only to England and to English waters. The Minister has already explained that the Government are concerned not to disturb the devolution settlement, but I find it hard to understand, even within the context of that concern, why the proposal should relate only to England and not extend to Wales. The Minister has already explained, when dealing with amendment No. 325, that the Welsh Assembly does not have devolved competence in respect of onshore wind farms above 50 MW, under the Electricity Act, or of offshore wind farms above 100 MW. I therefore suggest that extending the provisions of clause 33, as amended by amendment No. 92, to Wales would not in any sense disturb the devolution settlement. There seems to be a possibility that Wales could be left behind when the new streamlined procedure is adopted to consider large-scale generating applications. Will the Minister explain why he has decided to exclude Wales on this occasion?

John McDonnell: I wish to speak to amendments Nos. 77 and 80 to 87, which deal with airport-related developments. It is critical for my constituents to get some clarity on the process by which future airport developments—particularly at Heathrow—will be dealt with as a result of this legislation.

A conspiracy theory is developing in my constituency around the development of Heathrow airport. It is not some sort of collective paranoia; it is based on the reality that the development of Heathrow has, until now, been a conspiracy. Every assurance that my constituents have been given about the limitations to be placed on the development of Heathrow has been reneged upon within a short space of time after it was given, even on the Floor of the House. I would be grateful if the Minister could provide that clarity.

The Bill deals with the process by which an airport development can take place to increase the usage of that airport, with or without the physical development of some form of infrastructure at the airport. At the moment, airport development is controlled, first, by statements to the House made as a result of the various planning inquiries. The last statement was made by the Secretary of State for Transport and, as a result of the recommendation by the inspector at the inquiry on terminal 5, it capped air traffic movements at Heathrow airport at 480,000 a year. That limit will shortly be reached.

I understand that if there is a proposal to lift that cap beyond the limits set out in this legislation, that decision will form part of the new process in the Bill. That is one form of limitation that will have to be considered through this process, if it results in the additional 10 million air cargo movements set out in the amendments.

In addition to the overall cap on flight movements, at Heathrow there are other agreements that have arisen as a result of the planning processes at a number of inquiries, such as those for the fourth and fifth terminals, and even ones before those. Largely, they are voluntary agreements. One is on runway alternation and another is the Cranford agreement. They provide a means of relief for households in my constituency and across west London and beyond, into Windsor. At least for part of the day and for part of the week, people have a break from aircraft flying overhead, creating noise and pollution.

[John McDonnell]

I am unsure whether those agreements, if they were lifted or amended in some way, would also form part of this process. Lifting or changing the agreements could result in a significant increase in the intensity of the use of Heathrow airport and, as a result, have a devastating impact on the lives lived in the locality.

I shall give an example. On Saturday, there was a demonstration that said no to the expansion of Heathrow airport, and a head teacher was present with their pupils. As a result of those agreements, they at least gain some break during the day when teaching with the windows open can continue. Without those agreements, the windows would have to be closed. It is difficult to teach anyway due to the noise of the aircraft overhead. It is critical for my constituents and others to be absolutely clear about what falls within this legislation and what does not.

I refer back to the concept of a conspiracy theory. The conspiracy theory that is developing now about the proposals for the expansion of Heathrow airport relates to the amendments. The Government are having difficulty overcoming the issues around air and noise pollution, which would enable them to expand with a third runway and a sixth terminal, as proposed. We now know that the Government are privately looking to go to the European Union for permission to derogate from those pollution limits, despite the assurances given on the Floor of the House that no third runway or sixth terminal would go ahead unless they strictly comply with those limits.

If that was the case, my constituents would be concerned that the Government might not get permission or would allow themselves in the short term to go ahead with a third runway and sixth terminal. Therefore, to increase capacity at Heathrow airport they would lift the cap on flights but also remove the Cranford agreement and the alternation agreement. That would allow intensified use of the airport and have a major impact on the local environment and the quality of life of local constituents.

It is critical that we get it clear what will and will not fall within the legislation as a result of the amendments. If it is the overall cap, I can understand that, but is it also the voluntary agreements, which have given some protection to my constituents as well as to most parts of London and into Windsor and elsewhere? I would be grateful if the Minister clarified that in today's debate. Failing that, I would be happy to receive information over the next few days, but before next week's discussions. He may want to provide information or write to us so that we can at least inform our constituents accordingly. I believe that a number of Members representing west London seats, Windsor and elsewhere have not fully appreciated the potential of the amendments, if they will indeed have such an impact on runway alternation and the Cranford agreement. There would have been wider attendance at today's debate from those Members if they had been aware of those matters.

Dan Rogerson (North Cornwall) (LD): As was pointed out in our earlier debate, a number of the amendments that we are discussing will change the Bill significantly. Some were tabled in response to the raising of issues in Committee, but they are not new issues. Organisations and people out in the real world who will be affected by the Bill have doubtless been raising them with the Government ever since the announcement that it was to be introduced. As other Members have said, it is a shame that it has taken us from the beginning of the Committee stage until a fairly crowded Report stage to address some of them.

Let me deal with the new clauses and amendments in turn, as was done by the Minister and by the hon. Member for Clwyd, West (Mr. Jones). New clause 9 is welcome in that it delineates a little more clearly which highway schemes would be given to the IPC to decide and consult on. The hon. Member for Clwyd, West rightly pointed out that the Local Government Association has lobbied heavily on that issue. Indeed, its chairman gave evidence to us before the Committee stage. He said that the LGA would be happy with the Government's proposals, but I must confess that I think that it probably is not. Amendments tabled by me, which I shall discuss later, may be slightly more in accord with the concern expressed by local government about which roads will be involved.

Trunk roads are handled by the Highways Agency and are currently under the aegis of the Secretary of State when it comes to planning decisions. The arrangements are not confined to motorways and other specific kinds of road, which I believe are described as special roads, or special highways, in the Bill. The arrangements include a number of important highways whose construction would have a big local impact, and on which local authorities would want the power to decide. As the Minister has said, such decisions are currently made by the Secretary of State, which returns us to a discussion that we have had before about whether it would be preferable for them to be made by the IPC. As others have said, we shall discuss that more fully later, but I believe that the clarification provided in the new clause—although helpful in explaining the Government's intent—does not go far enough to deal with concern about the growing role of the IPC.

I do not like the dreadful phrase "mission creep", although I have yet to come up with a better term; I am sure that older and wiser heads than mine will do so as the debate proceeds. However, I think that the concept it describes is cause for great concern, not just in the context of highways but in relation to a raft of possible IPC decisions, and—as we heard in evidence—the Local Government Association wants that to be restricted.

Amendments Nos. 331 to 338, tabled by me and my hon. Friend the Member for Carshalton and Wallington (Tom Brake), seek to remove trunk roads from the provisions of clause 29, further restricting the application to highways. That clause may, of course, be replaced by new clause 9 today. I do not intend to press our amendments to a Division, but I believe that the Government could do more to meet the concerns expressed by the LGA and others.

New clause 10 tightens the definition of railway applications. I welcome what the Minister said in response to points about, for instance, light rail that were raised by my hon. Friend the Member for Carshalton and Wallington in Committee. However, as a result of concern expressed by the hon. Member for Clwyd, West about permitted development rights I tabled new clause 38, which I understand will be debated next Monday, and which also deals with the widening of scope.

The Minister spoke at some length about the devolution settlement and about the issue that my hon. Friend the Member for Montgomeryshire (Lembit Öpik) has sought to address with his amendment; the aspiration of the Welsh Assembly Government to have a greater say over power generation. In answer to my hon. Friend the Member for Brecon and Radnorshire (Mr. Williams), the Minister said that discussions were continuing, implying that it might be possible to do this without substantially altering the devolution settlement.

Amendment No. 325 seeks to prevent the powers from being transferred to the IPC in the hope that those discussions can continue. I support the concept, not just in terms of my traditional—as it has become during the course of the Bill—antipathy to the IPC. Restricting anything from going to the IPC is worth doing, but in this case the amendment seeks to reserve the possibility of negotiations continuing in future without the added complication of the IPC interfering.

5.15 pm

The Minister sought to address clustering through amendment No. 92, an important issue that may be relevant to my constituency in the near future. The Minister was referring to wind power and onshore wind development. We had the first wind farm in the country in North Cornwall at Delabole. We are proud of that, and there is great support for renewable energy. But there is concern that when an area has shown it is willing to take steps in that direction, it becomes the focal point for developers across the country, who descend on it rather than look at other equally suitable sites, causing saturation.

Certain smaller applications may come together to make something that is nationally significant, but in that clustering, there is even more local significance. The concern for people in my area is not just that clustering is taking place, but that the initial decision on it is taken away from the local authority, even if that decision might go to the Planning Inspectorate. Clustering could make matters slightly worse. The recognition of clustering is welcome, but the idea of transferring consideration of it to the IPC is problematic and adds to my growing concern about its expanding role.

The Minister has sought to respond to a number of concerns and has offered some clarification. Unfortunately, that has not brought about a state of affairs that I and others outside the House can support. It implies yet again a growing concentration of decision-making powers in the hands of the IPC. We are yet to see how the IPC will work and whether it will be able to undertake all the functions being heaped upon it.

On airport expansion, the hon. Member for Hayes and Harlington (John McDonnell) set out, as he always does, just how important the issue is to people in west London. He is right to point out that many Members from west London will be concerned if that thorny issue is drawn into the Bill. My hon. Friend the Member for Twickenham (Dr. Cable) was discussing this with me earlier and sought some clarification on what may be in the Bill.

I suppose that, yet again, the feeling will be that it is very welcome that this matter will move in some way into the planning realm, that people will therefore have the chance to get their opinions across and that there will be consultation and so on, although there may well be disquiet that the IPC, which is not a democratically accountable body, will be taking this decision. I risk straying again into issues that we will be deciding later, Mr. Deputy Speaker.

I have concerns about some of the Minister's comments about how the new clauses and amendments will change the Bill. I shall seek permission to put amendment No. 325, which stands in the name of my hon. Friends, to a separate vote, should that be the will of the House. I also reserve judgment on some of the other measures that the Minister has addressed.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy) (PC): I wish to refer to new clauses 9 and 10, which are self-explanatory and introduce a great deal of clarity into the debate at rather a late stage. Those new clauses clearly assist us in our deliberations, and they are entirely appropriate and acceptable.

The hon. Member for Clwyd, West (Mr. Jones) said that he was concerned that there might be a problem if major roadway infrastructure were to be considered for England, when a different authority were considering the matter over the border. I do not see any problem with such an arrangement. A devolution settlement is in place, and transport is largely, if not almost totally, devolved to the National Assembly for Wales. I am sure that this will be a challenge in the future not in any way to be shrugged off by anybody on either side of the border in the best interests of people in England and, of course, in the best interests of the people in Wales. I do not think that using the terminology that we might be left behind in some way is at all helpful, because that will not happen. This will be a challenge, but I have no doubt that Ministers in Cardiff and Ministers in London will liaise carefully on these matters in the best interests of bringing in developments.

I am concerned about the lack of understanding on the 50 MW issue, which we discussed in Committee. The Minister knows that the whole point of amendment No. 325, which stands in the name of several Liberal Democrat Members, is to exclude Wales from this particular aspect of energy creation. I tabled a similar amendment in Committee, so I fully support it. He will know that the National Assembly for Wales has considerable powers in respect of major energy projects in Wales, and a winding back on that particular issue seems to be taking place, because offshore generating stations of more than 50 MW will now effectively be called in to be dealt with by the IPC. Many people in Wales, for example, the Campaign for the Protection of Rural Wales and some people in government in Wales, are unhappy about that; there is unease not simply in my party, but across the political spectrum, because that unnecessarily complicates matters. I hoped that the Government would accept this amendment earlier, but clearly they are not going to accept it.

The approach being taken creates an inconsistency, and when one looks at that in the context of Welsh planning policy, existing national policy statements, the role and status of planning policy in Wales and the

[Mr. Elfyn Llwyd]

associated technical advice notes for the Wales spatial plan and so on, one sees that the Government could and should have accepted the amendment. It is a lost opportunity. It will be put to a vote today, but it is unlikely to be won, so I hope that the Government will reconsider at some point. It is an unnecessary complication that could be simplified very easily, were the amendment accepted.

Government new clauses 9 and 10 are unobjectionable, as are the consequential amendments. They bring clarity to the Bill, albeit at a rather late stage. I echo what others have said about the considerable amount of work that we need to do today and next week to deal with all the Government amendments, and I shall therefore truncate my remarks on amendment No. 325.

John Healey: I suppose that it is fair for hon. Members to have a go at me and at the Government over the number of amendments tabled on Report, but it is also reasonable to recognise the complexity of the Bill, and especially of the prize that we are trying to create, which is supported by both sides of the House, of a single consent regime in place of a maze of other consents and pieces of legislation, some dating back 50 years or more. At each stage, if we have heard serious, well argued and evidence-based points that suggest that the framework in the Bill is not adequate or could be clearer or stronger, I have tried to respond. That is largely what we have tried to do in many of the amendments.

The hon. Member for Clwyd, West (Mr. Jones) questioned the number of amendments earlier, but I was pleased by the tone that he struck in dealing with this group. He said that it was good to see changes to the highway definitions and thresholds, and I appreciate that. He also gave us credit for listening to views expressed in Committee on railways, and he welcomed the amendments on the power to direct clusters of, for instance, wind farms just below the 50 MW threshold, which appear sensible to several other hon. Members.

The hon. Gentleman asked some specific questions. On cross-border roads, decision making will continue to be split between England, Scotland and Wales, and the English developments that fall within the categories to be determined by the IPC will be determined by it. The schemes that cross borders are now often planned on a whole-network basis. The Highways Agency currently plans for cross-border highways, and it does so in conjunction with the Scottish and Welsh Governments. I see no reason why that arrangement, which works reasonably well, cannot continue in the future.

On clusters in Wales, I must be blunt. It is not the case that Welsh Ministers have expressed any enthusiasm for directing wind farm applications in Wales to the IPC, so we have not moved in that direction—

Mr. David Jones *rose*—

Mr. Roger Williams (Brecon and Radnorshire) (LD) *rose*—

Mr. Llwyd *rose*—

John Healey: There is an interesting divergence in views from the Welsh perspective on the Opposition Benches. I shall give way to the hon. Member for Clwyd, West first.

Mr. Jones: I apologise if I gave the impression that the Welsh Ministers were expressing enthusiasm for the IPC process; I am sure that they are not. It just seems to me that the Government are anxious not to disturb the devolution settlement. However, given that it does not extend to onshore wind farms above 50 MW and offshore wind farms above 100 MW, how can it possibly be said that to extend the competency of the IPC, or the single consent process, to such wind farms would disturb the devolution settlement? It clearly would not do so.

John Healey: I tried to explain when I made my opening remarks that that is an important feature, which is likely to become increasingly important, of the UK's overall energy supply and energy security. It is not a devolved function. That is why we have taken the view, after quite detailed discussions between the Welsh Assembly Government, the Welsh Office and the Department for Business, Enterprise and Regulatory Reform, that that is the approach that we should take and that it is consistent with the devolution settlement.

5.30 pm

Mr. Llwyd: I wanted to respond to something that the Minister said earlier. He gave the impression that Welsh Ministers were in some way arguing against what was proposed in the amendment when they were, in fact, arguing in favour of it, as his brother—his colleague—said in Committee. I say brother, but that is all old Labour-talk now, is it not? In Committee, the Minister's colleague, the Under-Secretary of State for Transport, the hon. Member for Poplar and Canning Town (Jim Fitzpatrick) said:

> "I am well aware that Welsh Ministers have argued for the devolution of energy consents of more than 50 MW, and that there have been tripartite discussions".—*[Official Report, Planning Public Bill Committee,* 22 January 2008; c. 334.]

The Minister for Local Government just mentioned those discussions. His colleague went on to say that the Government remain of the view that the situation should be as per the Bill. The Minister for Local Government somehow gave the impression that Welsh Ministers had not argued in favour of the amendment on that subject, when they had done so strongly.

John Healey: I am under no misapprehension and I do not think that I have given any cause for misunderstanding, about the approach to the question of consents for 50 MW wind farms that has interested Welsh Ministers. My point, which the hon. Gentleman tried to quote back to me, was about clusters. The hon. Member for Clwyd, West was making a different point about a different amendment on the power of direction to cluster more minor projects together in one single application, rather than the issue that the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) is concerned about. I pay tribute to him for the work that he has done, which I shall come to in a moment.

Mr. Jones *rose—*

Mr. Williams *rose—*

John Healey: I shall give way again, but I wanted to answer the points that have been made during the debate rather than dealing with a set of fresh points, particularly from those who have only just joined us.

Mr. Jones: I am most grateful to the Minister, who is being very generous. May I revert to the point that I raised? How would the extension of the cluster procedure to Wales and Welsh wind farms in any sense disturb the devolution settlement?

John Healey: The question of where we set the threshold for wind farms has been set in the context of looking at the UK's energy security and energy supply strategy, which is a reserved power. The 50 MW threshold is the appropriate way to reflect what need to be, nevertheless, a range of planning responsibilities that are properly devolved and should properly remain devolved in Wales. That is the approach that we have taken.

The hon. Member for Clwyd, West asked why only railways will have permitted development rights. We are protecting all permitted development rights in the Bill, but the railways are explicit, because of the drafting of how we will deal with the thresholds. In addition, the Highways Agency has the power to carry out similar types of works via an administrative order. That is the equivalent for highways of the permitted development rights for railways. Ports and airports have explicit numerical thresholds for those works and so, if the hon. Gentleman likes to see it that way, the permitted development rights for ports and airports are preserved in our proposed approach.

On the points made by the hon. Member for North Cornwall (Dan Rogerson), I tried earlier—I shall not repeat myself—to deal with the intent behind the highways amendments and the approach to the question of cycle paths and the definition of trunk roads. I understand the Local Government Association's general concern, but since 2001 the Department for Transport has detrunked 175 sections of road and thereby passed them to local authority control. More of those are in the pipeline. The DFT specifically welcomed and invited suggestions of where other trunk roads might be passed to local authority control. Finally, the DFT has confirmed that it plans to consult during the summer on local highways consents under the Highways Act 1980 that could be passed to lower tiers of government. Rather than decision making being taken further out of the hands of local authorities, we are not changing any of the consents at present. This is part of a number of steps that the Department is quite rightly considering to put more under local control.

I understand the concern expressed by my hon. Friend the Member for Hayes and Harlington (John McDonnell) about the agreements, including voluntary ones, that are currently in place at Heathrow. I have tried to explain the intent of the definition that we propose. He is quite right to say—in particular, before we get to the debate next week—that it is important to be precisely clear about that. I will review tomorrow the *Hansard* record, and if I feel that what has been said is not complete and clear enough, I will certainly write to him to ensure that he has the information that he is looking for.

John McDonnell: I would be grateful if that letter were received before the debate on Third Reading, because I would welcome the opportunity to read that correspondence into the parliamentary record.

John Healey: If I judge that there is a need to write to my hon. Friend, I will do so this week, and he will receive the letter this week.

The hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) returned to what he described as the lack of understanding on the 50 MW wind farm issue. He produced his amendment in Committee before the Liberal Democrats produced theirs, and he has expressed concerns about the issue. I have tried to explain to him that there may well be unease or unhappiness in Wales, but there is emphatically no winding back, as he described it, of the provisions and the devolution settlement in relation to Wales in our approach.

Government amendment No. 88 relates to provisions in the Coast Protection Act 1949 that largely deal with the content of development consents, which we can discuss more fully in conjunction with proposals in the third group of new clauses and amendments, and that is what I propose to do.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 10

RAILWAYS

'(1) Construction of a railway is within section 13(1)(j) only if—

- (a) the railway will (when constructed) be wholly in England,
- (b) the railway will (when constructed) be part of a network operated by an approved operator, and
- (c) the construction of the railway is not permitted development.

(2) Alteration of a railway is within section 13(1)(j) only if—

- (a) the part of the railway to be altered is wholly in England,
- (b) the railway is part of a network operated by an approved operator, and
- (c) the alteration of the railway is not permitted development.

(3) Construction or alteration of a railway is not within section 13(1)(j) to the extent that the railway forms part (or will when constructed form part) of a rail freight interchange.

(4) "Approved operator" means a person who meets the conditions in subsections (5) and (6).

(5) The condition is that the person must be—

- (a) a person who is authorised to be the operator of a network by a licence granted under section 8 of the Railways Act 1993 (licences for operation of railway assets), or
- (b) a wholly-owned subsidiary of a company which is such a person.

(6) The condition is that the person is designated, or is of a description designated, in an order made by the Secretary of State

(7) In this section—

"network" has the meaning given by section 83(1) of the Railways Act 1993;

"permitted development" means development in relation to which planning permission is granted by article 3 of the Town and Country Planning (General Permitted Development) Order 1995;

"wholly-owned subsidiary" has the same meaning as in the Companies Act 2006 (see section 1159 of that Act).

(8) The reference in subsection (7) to the Town and Country Planning (General Permitted Development) Order 1995 is to that Order as it has effect immediately before the day on which this section comes fully into force.'.—*[John Healey.]*

Brought up, read the First and Second time, and added to the Bill.

Clause 13

NATIONALLY SIGNIFICANT INFRASTRUCTURE PROJECTS: GENERAL

Amendments made: No. 77, page 7, line 14, leave out

'the construction or alteration of an airport'

and insert 'airport-related development'.

No. 78, page 7, line 16, after 'construction', insert 'or alteration'.—*[John Healey.]*

Amendment proposed: No. 325, in page 8, line 12, clause 14, leave out 'or Wales'.—*[Dan Rogerson.]*

Question put, That the amendment be made:—

The House divided: Ayes 46, Noes 265.

Division No. 205] **[5.38 pm**

AYES

Alexander, Danny
Breed, Mr. Colin
Brooke, Annette
Browne, Mr. Jeremy
Bruce, rh Malcolm
Burstow, Mr. Paul
Cable, Dr. Vincent
Campbell, rh Sir Menzies
Clegg, rh Mr. Nick
Davey, Mr. Edward
Farron, Tim
Featherstone, Lynne
Foster, Mr. Don
Goldsworthy, Julia
Harris, Dr. Evan
Harvey, Nick
Heath, Mr. David
Hemming, John
Holmes, Paul
Howarth, David
Hughes, Simon
Huhne, Chris
Hunter, Mark
Lamb, Norman
Laws, Mr. David
Leech, Mr. John
Llwyd, Mr. Elfyn
Moore, Mr. Michael
Mulholland, Greg
Oaten, Mr. Mark
Pugh, Dr. John
Reid, Mr. Alan
Rennie, Willie
Rogerson, Dan
Russell, Bob
Sanders, Mr. Adrian
Smith, Sir Robert
Spink, Bob
Stunell, Andrew
Swinson, Jo
Taylor, Matthew
Taylor, Dr. Richard
Thurso, John
Webb, Steve
Williams, Mark
Willis, Mr. Phil

Tellers for the Ayes:
Jenny Willott and
Mr. Roger Williams

NOES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, rh Mr. Bob
Alexander, rh Mr. Douglas
Allen, Mr. Graham
Anderson, Janet
Austin, Mr. Ian
Austin, John
Bailey, Mr. Adrian
Baird, Vera
Balls, rh Ed
Banks, Gordon
Barlow, Ms Celia
Battle, rh John
Bayley, Hugh
Begg, Miss Anne
Benn, rh Hilary
Benton, Mr. Joe
Berry, Roger
Betts, Mr. Clive
Blackman, Liz
Blackman-Woods, Dr. Roberta
Blears, rh Hazel
Blizzard, Mr. Bob
Blunkett, rh Mr. David
Borrow, Mr. David S.
Bradshaw, Mr. Ben
Brennan, Kevin
Brown, Lyn
Brown, Mr. Russell
Browne, rh Des
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, rh Andy
Butler, Ms Dawn
Byrne, Mr. Liam
Cairns, David
Campbell, Mr. Alan
Campbell, Mr. Ronnie
Caton, Mr. Martin
Cawsey, Mr. Ian
Challen, Colin
Chapman, Ben
Clapham, Mr. Michael
Clark, Paul
Clarke, rh Mr. Charles
Clarke, rh Mr. Tom
Coaker, Mr. Vernon
Connarty, Michael
Cook, Frank
Cooper, Rosie
Corbyn, Jeremy
Cousins, Jim
Crausby, Mr. David
Cruddas, Jon
Cryer, Mrs. Ann
Cummings, John
Cunningham, Mr. Jim
David, Mr. Wayne
Davies, Mr. Dai
Dean, Mrs. Janet
Denham, rh Mr. John
Devine, Mr. Jim
Dhanda, Mr. Parmjit
Dismore, Mr. Andrew
Donohoe, Mr. Brian H.
Doran, Mr. Frank
Dowd, Jim
Drew, Mr. David
Eagle, Angela
Eagle, Maria
Efford, Clive
Ellman, Mrs. Louise
Ennis, Jeff
Fiello, Mr. Robert
Flynn, Paul
Follett, Barbara
Foster, Mr. Michael *(Worcester)*
Foster, Michael Jabez *(Hastings and Rye)*
Francis, Dr. Hywel
Gapes, Mike
Gardiner, Barry
George, rh Mr. Bruce
Gerrard, Mr. Neil
Gilroy, Linda
Goggins, Paul
Goodman, Helen
Griffith, Nia
Griffiths, Nigel
Grogan, Mr. John
Gwynne, Andrew
Hall, Mr. Mike
Hall, Patrick
Hamilton, Mr. David
Hamilton, Mr. Fabian
Hanson, rh Mr. David
Harman, rh Ms Harriet
Harris, Mr. Tom
Havard, Mr. Dai
Healey, John
Hendrick, Mr. Mark
Hepburn, Mr. Stephen
Heppell, Mr. John
Hesford, Stephen
Heyes, David
Hillier, Meg
Hodgson, Mrs. Sharon
Hoey, Kate
Hoon, rh Mr. Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, rh Mr. George
Howells, Dr. Kim
Hoyle, Mr. Lindsay
Hughes, rh Beverley
Humble, Mrs. Joan
Iddon, Dr. Brian
Ingram, rh Mr. Adam
Irranca-Davies, Huw
Jackson, Glenda
James, Mrs. Siân C.
Jenkins, Mr. Brian
Johnson, rh Alan
Johnson, Ms Diana R.
Jones, Helen
Jowell, rh Tessa
Kaufman, rh Sir Gerald
Keeley, Barbara
Keen, Alan
Keen, Ann
Kelly, rh Ruth
Kemp, Mr. Fraser
Kennedy, rh Jane
Khan, Mr. Sadiq
Kidney, Mr. David
Kilfoyle, Mr. Peter
Knight, Jim
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, Mr. David
Lazarowicz, Mark
Lepper, David
Levitt, Tom
Lewis, Mr. Ivan
Linton, Martin
Lloyd, Tony
Love, Mr. Andrew
Lucas, Ian
Mackinlay, Andrew
MacShane, rh Mr. Denis
Mactaggart, Fiona
Malik, Mr. Shahid
Mallaber, Judy
Mann, John

Marsden, Mr. Gordon
Martlew, Mr. Eric
McAvoy, rh Mr. Thomas
McCabe, Steve
McCafferty, Chris
McCarthy-Fry, Sarah
McCartney, rh Mr. Ian
McDonnell, John
McFadden, Mr. Pat
McFall, rh John
McGovern, Mr. Jim
McGuire, Mrs. Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
McNulty, rh Mr. Tony
Michael, rh Alun
Miller, Andrew
Mitchell, Mr. Austin
Moffatt, Laura
Mole, Chris
Moon, Mrs. Madeleine
Morden, Jessica
Morgan, Julie
Morley, rh Mr. Elliot
Mudie, Mr. George
Mullin, Mr. Chris
Munn, Meg
Murphy, rh Mr. Paul
Naysmith, Dr. Doug
Norris, Dan
O'Brien, Mr. Mike
Olner, Mr. Bill
Osborne, Sandra
Owen, Albert
Palmer, Dr. Nick
Plaskitt, Mr. James
Pound, Stephen
Prentice, Bridget
Prentice, Mr. Gordon
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Mr. Ken
Purnell, rh James
Raynsford, rh Mr. Nick
Reed, Mr. Andy
Reed, Mr. Jamie
Reid, rh John
Riordan, Mrs. Linda
Robertson, John
Robinson, Mr. Geoffrey
Rooney, Mr. Terry
Roy, Mr. Frank
Ruane, Chris
Ruddock, Joan
Russell, Christine
Ryan, rh Joan
Salter, Martin
Seabeck, Alison
Sharma, Mr. Virendra
Shaw, Jonathan
Sheridan, Jim
Simon, Mr. Siôn
Singh, Mr. Marsha
Skinner, Mr. Dennis
Slaughter, Mr. Andy
Smith, rh Mr. Andrew
Smith, Ms Angela C. *(Sheffield, Hillsborough)*
Smith, Angela E. *(Basildon)*
Smith, rh Jacqui
Snelgrove, Anne
Soulsby, Sir Peter
Southworth, Helen
Spellar, rh Mr. John
Spink, Bob
Starkey, Dr. Phyllis
Stewart, Ian
Strang, rh Dr. Gavin
Straw, rh Mr. Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Mr. Gerry
Tami, Mark
Taylor, David
Thornberry, Emily
Todd, Mr. Mark
Touhig, rh Mr. Don
Trickett, Jon
Truswell, Mr. Paul
Turner, Dr. Desmond
Turner, Mr. Neil
Twigg, Derek
Ussher, Kitty
Walley, Joan
Waltho, Lynda
Ward, Claire
Watson, Mr. Tom
Watts, Mr. Dave
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Mr. Alan
Wills, Mr. Michael
Wilson, Phil
Winnick, Mr. David
Winterton, rh Ms Rosie
Woolas, Mr. Phil
Wright, Mr. Anthony
Wright, David
Wyatt, Derek

Tellers for the Noes:
Siobhain McDonagh and
Tony Cunningham

Question accordingly negatived.

Clause 20

HIGHWAYS

Amendment made: No. 79, page 11, line 41, leave out Clause 20.—*[John Healey.]*

Clause 21

AIRPORTS

Amendments made: No. 80, page 13, line 1, at end insert—

'(A1) Airport-related development is within section 13(1)(h) only if the development is—

(a) the construction of an airport in a case within subsection (1),

(b) the alteration of an airport in a case within subsection (3), or

(c) an increase in the permitted use of an airport in a case within subsection (5A).'.

No. 81, page 13, line 2, leave out 'The construction of an airport is within section 13(1)(h)' and insert

'Construction of an airport is within this subsection'.

No. 82, page 13, line 12, leave out 'An alteration of an airport is within section 13(1)(h)' and insert

'Alteration of an airport is within this subsection'.

No. 83, page 13, line 26, at end insert—

'(5A) An increase in the permitted use of an airport is within this subsection only if—

(a) the airport is in England or in English waters, and

(b) the increase is within subsection (5B).

(5B) An increase is within this subsection if—

(a) it is an increase of at least 10 million per year in the number of passengers for whom the airport is permitted to provide air passenger transport services, or

(b) it is an increase of at least 10,000 per year in the number of air transport movements of cargo aircraft for which the airport is permitted to provide air cargo transport services.'.

No. 84, page 13, line 38, at end insert—

'"permitted" means permitted by planning permission or development consent."'.—*[John Healey.]*

Clause 23

RAILWAYS

Amendment made: No. 85, page 15, line 4, leave out Clause 23.—*[John Healey.]*

Clause 30

MEANING OF "DEVELOPMENT"

Amendments made: No. 86, page 18, line 19, at end insert—

'(c) an increase in the permitted use of an airport is treated as a material change in the use of the airport.'.

No. 87, page 18, line 40, at end insert—

'"permitted" means permitted by planning permission or development consent;'.—*[John Healey.]*

Clause 31

EFFECT OF REQUIREMENT FOR DEVELOPMENT CONSENT ON OTHER CONSENT REGIMES

Amendments made: No. 88, page 19, leave out lines 11 and 12.

No. 89, page 19, line 33, leave out from second 'development' to end of line 34 and insert

', the development may not be authorised by any of the following—'.

No. 90, page 19, line 42, leave out 'of a proposed' and insert ', improvement or alteration of a'.

No. 91, page 19, line 43, leave out from 'made' to end of line 44 and insert

'or confirmed in relation to the highway or in connection with the construction, improvement or alteration of the highway—'.—*[John Healey.]*

Clause 33

Directions in relation to projects of national significance

Amendment made: No. 92, page 20, line 34, at end insert

', either by itself or when considered with one or more other projects or proposed projects in one or more of the fields specified in subsection (2)'.—*[John Healey.]*

New Clause 15

Land to which authorisation of compulsory acquisition can relate

'(1) An order granting development consent may include provision authorising the compulsory acquisition of land only if the decision-maker is satisfied that one of the conditions in subsections (2) to (4) is met.

(2) The condition is that the application for the order included a request for compulsory acquisition of the land to be authorised.

(3) The condition is that all persons with an interest in the land consent to the inclusion of the provision.

(4) The condition is that the prescribed procedure has been followed in relation to the land.'.—*[Mr. Dhanda.]*

Brought up, and read the First time.

The Parliamentary Under-Secretary of State for Communities and Local Government (Mr. Parmjit Dhanda): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Sir Michael Lord): With this it will be convenient to discuss the following:

Government new clause 17—*Rights in connection with underground gas storage facilities.*

Government new clause 18—*Public rights of way: statutory undertakers' apparatus etc..*

Government new clause 19—*Extinguishment of rights, and removal of apparatus, of statutory undertakers etc.*

Government new clause 26—*Interpretation: land and rights over land.*

Government new clause 37—*Application of compulsory acquisition procedure provisions.*

Government amendments Nos. 116 to 151, 153 to 157, 93 to 96, 101, 102, 186, 187, 252, 255 and 269.

Mr. Dhanda: This set of amendments largely makes technical changes to ensure that the provisions of part 7 of the Bill work correctly on the issues of compulsory acquisition of land—in particular, the compulsory acquisition of specially protected categories of land known as "special land", and including common land. The definitions can be found in part 7 of the Bill.

Please excuse me for sounding a bit like a bingo caller, but I must refer to a whole raft of small technical amendments. New clauses 17 and 26, amendments Nos. 93 to 96, 101, 102, 119, 122, 123, 125, 126, 128, 129, 131, 132, 140, 141, 146, 147, 151, 153 to 156, 252, 255 and 269 clarify that development consent orders can authorise the compulsory acquisition of rights over land and compulsorily create new rights over land. I shall address that in a little more detail.

Those new clauses and amendments are necessary to avoid a situation in which a promoter must unnecessarily purchase the whole of a person's land when all they need is a right over it—or under it, such as the right to store natural gas in the subsoil. The amendments provide flexibility and more options for the developer and land owners. New clauses 18 and 19 give protections for statutory undertakers, such as water companies, gas transporters and mobile phone operators, that have apparatus on land that is to be compulsorily acquired. If those statutory undertakers object to the proposed extinguishment of the right of way on the land or the proposed removal of their apparatus from the land, the Secretary of State who sponsors the relevant statutory undertaker would need to consent to the provisions.

Amendments Nos. 117, 120, 121, 134, 137, 142 and 145 clarify the procedures by which a promoter can propose land as a replacement for special land that it seeks to acquire compulsorily—for example, common land, allotments or statutory undertakers' land. The Secretary of State can certify that the proposed replacement land is as good as the land that it replaces.

When a promoter intends to acquire compulsorily common land or rights over common land, the amendments clarify that the Secretary of State must notify those interested in the proposal of his or her intention to certify the promoters' offer of replacement land as acceptable. The amendments also allow the Secretary of State to cause a public inquiry to be held into the proposed package of replacement common land. That strikes us as a common-sense thing to do to ensure fairness.

The provisions are designed to ensure alignment with existing provisions in the Acquisition of Land Act 1981. New clause 15 clarifies that the decision maker may authorise the compulsory acquisition of land that was not included in the original application if all affected parties consent, or if specified procedures have been followed. Without that amendment, only land identified in the original application could be compulsorily acquired. It is important to allow the decision maker the flexibility to make changes to the draft order if they believe that a decision to approve could be made only on the basis of a project that requires revisions.

The amendment gives the Secretary of State a power to prescribe the procedures to be followed whenever the decision maker wishes to approve additional compulsory acquisition. We believe it is right for the Secretary of State to set the rules when additional compulsory acquisition is envisaged, in order to ensure that human rights and other interests are respected. We anticipate that these procedures would, at a minimum, ensure that the promoter and all interested parties were notified and may make representations, and that the decision maker must take into account any representations and objections made about the proposed changes.

6 pm

Amendments Nos. 124, 127 and 130 clarify who are to be counted as statutory undertakers for the purposes of clauses 114, 115 and 116. That is necessary in order to include companies that have been deemed as statutory undertakers in legislation other than the 1981 Act. The amendments allow for flexibility beyond that Act.

Amendments Nos. 135, 138, 143 and 148 respond to concerns raised in Committee about the possibility that the promoter of a nationally significant infrastructure project may claim a need to acquire common land compulsorily in order to secure its preservation or preserve its management. The amendments remove that possibility and respond to the requests that were made in Committee.

Amendments Nos. 136 and 144 respond to concerns raised in Committee about the threshold of 209.03 sq m of common land above which compulsory acquisition can be made only if a package of replacement land is offered, or through special parliamentary procedure. As we described in Committee, that figure was merely a metrification of 250 sq yd. We were asked to round that number down, and we have done so by rounding the threshold down to 200 sq m, which is in line with the existing threshold in the Commons Act 2006.

Amendment No. 157 clarifies that if a development consent order extinguishes a public right of way, the appropriate authority must order that that right be revived if it becomes clear that the promoter has abandoned proposals to acquire the land covered by the right of way. New clause 37 requires that the Compulsory Purchase Act 1965 applies to cases in which compulsory acquisition is authorised by a development consent order unless the order specifies otherwise. There are other ways in which compulsory purchase orders can come about beyond the 1965 Act, so the new clause leaves this open and provides for that flexibility. It also applies the 1965 Act to the acquisition of land where a landowner serves a blight notice because an application that has been submitted proposes its compulsory purchase. That provides safeguards and protection for those whose land may well be blighted as a consequence of the process. Amendments Nos. 186 and 187 make further technical changes to ensure that blight notices following the passage of the Bill are served on the correct authority and identify the appropriate enactment.

I appreciate that this is a large array of amendments, but they are mostly technical.

Mr. David Jones: As the Minister has so comprehensively pointed out, this is a series of detailed amendments required to implement the compulsory acquisition regime that is necessary in order to make the unified consent system work. There are a significant number of amendments, and I hope the Minister will not take it amiss if I gently chide him once again for the fact that their provisions were not included in the Bill originally. It was evident from the moment the Bill was published that a regime for compulsory acquisition would be necessary, and it should have been obvious that that regime would have to be detailed. The details that have been supplied in the amendments clearly make up the deficiency that was so manifestly there, and I am glad that they have been tabled.

I shall refer to a number of matters, one of which is the right of persons who will be on the receiving end of a compulsory acquisition order to have their representations properly heard. The power compulsorily to acquire land and interests in land is one of the more draconian powers in the hands of the infrastructure planning commission, and it should therefore be used carefully, sparingly and with sensitivity. It is important that the rights of those whose interests will be affected by a compulsory acquisition order should be properly heard and respected. I am worried that when the procedure for inquiries comes to be considered, we will see that the interests of those who are likely to be affected by compulsory acquisition orders are frequently regarded as not primary in the course of those proceedings and may even be discounted altogether. That is not right. The powers that the Bill gives to the commission are very extensive, and if an individual's rights are to be usurped in the manner proposed, albeit legally, their interests should be fully heard.

New clause 15 provides that an order authorising compulsory acquisition of land may be made only if, inter alia, "the prescribed procedure" has been followed in relation to the land. I may have missed something—no doubt the Minister will enlighten me—but I wonder where that prescribed procedure is set out. Clause 112 provides that the Secretary of State may issue guidance about the making of an order granting development consent, which includes provision authorising the compulsory acquisition of land, but that appears to be something less than a prescribed procedure.

I have nothing further to add, save that for my own part I would have been happier if we had stuck with 250 sq yd and imperial measurements.

Dan Rogerson: The Minister was clearly aware of the seemingly dry nature of the part of the Bill that he has been asked to shepherd through and has sought to brighten up the occasion with a tie to keep awake anybody who might be nodding off—and an excellent tie it is, too.

The hon. Member for Clwyd, West (Mr. Jones) made some serious points about the rights of people who may find themselves subject to compulsory acquisition of land. I am particularly concerned about a point that was raised in Committee, as the Minister will recall. When land is being offered in lieu of something that is being taken away, how can we be sure that it is a suitable replacement? If it is common land, for example, will it be geographically suitable for the people who would be exercising rights upon it in the way that they have done customarily? Indeed, land that is special for any other purpose or reason should be borne in mind when an alternative piece of land is offered. We also have to consider how the process will be arbitrated. If there are questions about whether the land represents appropriate compensation for what has been taken away, there should be recourse to some sort of negotiation.

The hon. Member for Clwyd, West is right to raise the problem whereby if the compulsory acquisition of land is handled at the time of the development consent order, other issues will obscure the importance or severity of it. People in the community affected in other ways, in far greater number, will have the floor to a greater extent than those affected in a small, personal way that is nevertheless important to that individual. The Government clearly had the desire to speed up the process—they have been clear and up front about that throughout—but my concern is that the process should be correct and just and that any acquisition must be

[Dan Rogerson]

entirely necessary. If those matters are obscured in some way and rolled up into the process of development consent, some of them might be overlooked.

I am concerned about some of the changes that are being made, but I welcome the fact that the Government are removing the fog from the proposals and clarifying some of the issues that we explored in Committee.

John McDonnell: I have just a couple of points to make. We are talking about placing an immense power in the hands of the IPC, which will affect a large number of people with regard to major infrastructure developments. I refer hon. Members to early potential expansion of Heathrow. The provisions give immense power for compulsory purchase and the forced removal of people. When it comes to Heathrow, the calculations show that anything up to 10,000 people will be removed from their homes, alongside the loss of three schools, community centres and so on. I would welcome information about the financial support and professional assistance that will be given to those who wish to contest a compulsory acquisition. What additional support will be given to local authorities to represent their constituents in such matters?

I have a point of detail with regard to BAA. When the industry was a nationalised one, it had specific powers of compulsory purchase. Once it was privatised, those powers were apparently retained, and I would welcome clarity about the powers that it will have on compulsory acquisition of land after this legislation is passed, and with regard to whether it will have any special status above any other private sector company.

Mr. Clifton-Brown: I would like to probe the Minister on the procedure for compulsory acquisition. Following on from what the hon. Member for Hayes and Harlington (John McDonnell) and my hon. Friend the Member for Clwyd, West (Mr. Jones) said, compulsory acquisition is one of the most severe powers anyone can take to acquire land. Can the Minister clarify what the procedure will be when it becomes clear that the promoter has served notice under new clause 19, or any other provision in the Bill, that compulsory powers are likely to be used? There was some confusion about that in Committee. The Minister said:

> "To be clear, people who are subject to compulsory purchase orders as a result of this provision will have exactly the same rights that they have at present."—*[Official Report, Planning Public Bill Committee,* 10 January 2008; c. 150, Q367.]

I want to probe the Minister—my neighbour in Gloucestershire—on the rights that people will have to be heard.

Under the Compulsory Purchase (Inquiries Procedure) Rules 2007 made by the Lord Chancellor on 15 December 2007, people had the right to be heard orally and in writing, and they had the right to summon witnesses and to cross-examine them. It would not only be landowners who had that right: under rule 6 of the Town and Country Planning (Major Infrastructure Projects Inquiries Procedure) (England) Rules 2005, raised by my hon. Friend the Member for Bromley and Chislehurst (Robert Neill) in the oral evidence session, others affected, such as parish or town councils, would have the same rights. I seek to probe the Minister on the right that parties affected by compulsory purchase powers will have to be heard and to summon and cross-examine witnesses. Will they have an absolute right, or will they be able to do so only at the discretion of the IPC commissioner?

6.15 pm

Mr. Dhanda: I thank the hon. Member for North Cornwall (Dan Rogerson) for his kind remarks about my tie. I am inclined to agree that this grouping relates to one of the more detailed and, some would say, drier aspects of the Bill, but it is an important one, as hon. Members have said.

People are particularly concerned about homes—my hon. Friend the Member for Hayes and Harlington (John McDonnell) mentioned those near Heathrow—and under our proposals, those whose homes are subject to compulsory purchase, and other landowners, would have exactly the same rights as they do at present. They would have the same human rights protection as they do now. They will be able to object to a proposal for compulsory purchase, submit evidence to the IPC on why their home should not be purchased and appear at the examination to have their say. As now, they will be able to challenge a decision on compulsory purchase in the courts. Rules on compensation will be the same as now, and disputed compensation will be decided by the Lands Tribunal. The commission would be required to explain how it used powers for compulsory purchase in an annual report to Parliament.

Mr. Clifton-Brown: The Minister has skated over the critical point that I raised. Will objectors to compulsory purchase powers have the absolute right to be heard both orally and in writing? Will they have the power to summon witnesses, and will they have the power to cross-examine those witnesses? I am not talking about going to court, but about the IPC procedure. Will such matters be at the discretion of the IPC commissioner hearing the case?

Mr. Dhanda: The role of the IPC commissioner is important and we must remember that although the Bill and the legislation set the framework—and not just through the amendments, which are mostly technical—most of the framework policy was already in the Bill. I am sure that the hon. Gentleman was aware of that. The hon. Member for Clwyd, West (Mr. Jones) rightly pointed out that he wants to see more flesh on the bones with regard to the process, as does the hon. Member for North Cornwall, and I was about to refer to that. Although the Bill sets the framework, there will be regulations to provide the detail of the process; we will consult widely on those, and they will have to go through Parliament.

Mr. David Jones: We are coming to the relevant amendments later, but do not the new clauses specifically mean that those who seek to be heard on compulsory purchase alone will not necessarily have the right to be heard by the commissioners?

Mr. Dhanda: Those involved in the process will have the mandatory right to submit evidence and attend a hearing on CPO issues. IPC discretion remains, however, as to whether to allow a cross-examination. It is worth remembering that the CPO process, and the amendments that I have just highlighted, goes a little further by adding flexibility and options for developers and landowners. We are talking about land not being subject to a CPO; ideally, the process would take place in a consensual way where there is usage of the land above—for example, it may be necessary to bring in a crane to build infrastructure—or below, as someone may wish to store gas under the soil. I hope that having the extra options that we are introducing through our amendments will result in consensus far more often.

There will be times when there is no consensus and when we will have to use other processes, more of which will be set out in regulations. However, the changes that we have made, not least from listening to members of the Committee, together with what was already in the Bill, provide good safeguards for the owners of land, as well as opportunities to go forward with consensus from both developers and landowners.

Mr. Clifton-Brown: I am grateful to the Minister for giving way; he is being very indulgent. His answer has been helpful, but may I press him one more time? I do not want to put words into his mouth, but I think he said that those to whom CPOs will apply, whether they have land or houses, will have an absolute right to appear before an IPC to give evidence either orally or in writing. Can he confirm that I have got that right? Using a CPO to take away someone's home or land is one of the most draconian powers that a Government can use. It is therefore only correct that there should be a right to appear at the IPC hearing to give evidence orally or in writing.

Mr. Dhanda: I thought that I had confirmed that just a moment ago. I hope that that is helpful.

John McDonnell: My hon. Friend has not addressed the points that I raised. I should be grateful if he could do so at some stage, if not this evening. I should like information on the continuing powers that BAA may have post-privatisation. In addition, new clause 28, which we shall come to later, relates to access to planning aid—that is, financial support for those who are contesting or wish to be represented—and refers to "planning matters". I seek clarity about whether such aid would be provided to those who were also contesting an order involving the compulsory acquisition of their property or homes.

Mr. Dhanda: I appreciate my hon. Friend's question about BAA and the changes that would apply. I will seek to provide him with a more detailed answer in writing before we return next week to consider the Bill further.

This group of amendments has been designed to ensure that proposals that include the compulsory acquisition of land are dealt with properly and that correct levels of protection are given to landowners and, as I mentioned, special types of land. The hon. Member for North Cornwall mentioned special types of land, such as common land. I am grateful to hon. Members who suggested helpful changes in Committee, some of which have been implemented in the package of amendments that we are considering. They set out essential technical changes to deal with the acquisition of rights over land and give protections to landowners, statutory undertakers and the users of rights of way. The provisions set out clear rules and procedures to ensure the protection of the rights of those whose land may be compulsorily acquired.

I hope that that answers hon. Members' questions and gets across the point that we are making changes that are consistent with existing planning law. Those who fear that their homes, businesses or land are about to be CPO-ed will have the processes that already exist, as well as other options that we are bringing forward, which will provide flexibility.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 17

RIGHTS IN CONNECTION WITH UNDERGROUND GAS STORAGE FACILITIES

'(1) This section applies if—

(a) the development to which an order granting development consent relates is development within section 13(1)(c), and

(b) the order authorises the compulsory acquisition of one or more rights within subsection (2).

(2) The rights are—

(a) a right to store gas in underground gas storage facilities;

(b) a right to stop up a well, borehole or shaft, or prevent its use by another person;

(c) a right of way over land.

(3) If the right within subsection (2) is an existing right to store gas in underground gas storage facilities, this Act has effect in relation to the compulsory acquisition of the right with the omission of section 118.

(4) If the order authorises the compulsory acquisition of the right by the creation of a new right within subsection (2), this Act has effect in relation to the compulsory acquisition of the right with the omission of sections 114 to 119.'—*[Mr. Dhanda.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 18

PUBLIC RIGHTS OF WAY: STATUTORY UNDERTAKERS' APPARATUS ETC.

'(1) The following provisions of this section apply if—

(a) an order granting development consent makes provision for the acquisition of land, compulsorily or by agreement,

(b) a public right of way exists over the land,

(c) the right of way is not a right enjoyable by vehicular traffic, and

(d) the right of way is over land falling within subsection (2).

(2) Land falls within this subsection if it is land on, over or under which there is—

(a) apparatus belonging to statutory undertakers, or

(b) electronic communications apparatus kept installed for the purposes of an electronic communications code network.

(3) The order granting development consent may include provision for the right of way to be extinguished only if the undertakers or the operator of the network (as the case may be) consent to the inclusion of the provision.

(4) The consent referred to in subsection (3)—

(a) may be given subject to the condition that there are included in the order such provisions for the protection of the undertakers or the operator (as the case may be) as they may reasonably require, and

(b) must not be unreasonably withheld.

(5) Any question arising under subsection (4) whether any requirement or refusal is reasonable is to be determined by the Secretary of State.

(6) The question of which Secretary of State should make a determination under subsection (5) is to be determined by the Treasury, if it arises.

(7) In this section and section [Extinguishment of rights, and removal of apparatus, of statutory undertakers etc.] "statutory undertakers" means persons who are, or are deemed to be, statutory undertakers for the purposes of any provision of Part 11 of TCPA 1990.

(8) In this section and section [Extinguishment of rights, and removal of apparatus, of statutory undertakers etc.]- the following terms have the meanings given in paragraph 1(1) of Schedule 17 to the Communications Act 2003 (c. 21)—

"electronic communications apparatus";
"electronic communications code";
"electronic communications code network";
"operator".'.—*[Mr. Dhanda.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 19

Extinguishment of rights, and removal of apparatus, of statutory undertakers etc.

'(1) This section applies if an order granting development consent authorises the acquisition of land (compulsorily or by agreement) and—

(a) there subsists over the land a relevant right, or

(b) there is on, under or over the land relevant apparatus.

(2) "Relevant right" means a right of way, or a right of laying down, erecting, continuing or maintaining apparatus on, under or over the land, which—

(a) is vested in or belongs to statutory undertakers for the purpose of the carrying on of their undertaking, or

(b) is conferred by or in accordance with the electronic communications code on the operator of an electronic communications code network.

(3) "Relevant apparatus" means—

(a) apparatus vested in or belonging to statutory undertakers for the purpose of the carrying on of their undertaking, or

(b) electronic communications apparatus kept installed for the purposes of an electronic communications code network.

(4) The order may include provision for the extinguishment of the relevant right, or the removal of the relevant apparatus, only if—

(a) the decision-maker is satisfied that the extinguishment or removal is necessary for the purpose of carrying out the development to which the order relates, and

(b) in a case within subsection (5), the Secretary of State has consented to the inclusion of the provision.

(5) A case is within this subsection if a representation has been made about the application for the order granting development consent before the completion of the examination of the application—

(a) in a case falling within subsection (2)(a) or (3)(a), by the statutory undertakers;

(b) in a case falling within subsection (2)(b) or (3)(b), by the operator of the electronic communications code network,

and the representation has not been withdrawn.

(6) The question of which Secretary of State should give consent under subsection (4)(b) is to be determined by the Treasury, if it arises.'.—*[Mr. Dhanda.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 20

Use of underground gas storage facilities

'An order granting development consent may include provision authorising the use of underground gas storage facilities only if the development to which the order relates is or includes development within section 16(2), (3) or (5).'.—*[John Healey.]*

Brought up, and read the First time.

John Healey: I beg to move, That the clause be read a Second time.

Madam Deputy Speaker (Sylvia Heal): With this it will be convenient to discuss the following: Government new clause 21—*Harbours.*

Government new clause 22—*Deemed consent under section 34 of the Coast Protection Act 1949.*

Government new clause 23—*Deemed licences under Part 2 of the Food and Environment Protection Act 1985.*

Government new clause 24—*Removal of consent requirements.*

Government amendments Nos. 114, 115 and 152.

Government motion: That Clause 120 be transferred to the end of line 8 on page 65.

Amendment No. 4, in clause 124, page 65, line 22, at end insert—

'(2) An order granting development consent may include provision authorising an electric line to be kept installed above ground only if the decision-maker is satisfied that no person will be exposed to any risk to their health arising from exposure to electric and magnetic fields with a frequency of between 30 and 300 Hertz.'.

Government amendments Nos. 165 and 250.

Government new schedule 3—*Provision relating to, or to matters ancillary to, development.*

Government amendments Nos. 270 to 274, 276 and 277.

John Healey: We come to a series of new clauses, new schedules and amendments that reflect the further work that we have done and our reflection on the points put to us in discussion.

New schedule 3 reworks the provisions of clause 109(4) into a new schedule, thereby clearly setting out the matters that may be included in a development consent order. New schedule 3 contains new matters that go beyond those that were previously contained in clause 109. They include the use of underground gas storage facilities; the carrying out of civil engineering and other works; the charging of fares and other fees; the operation and maintenance of a transport system; entering into an agreement for the provision of police services; the transfer of property, rights, liabilities or functions; and the transfer, leasing, suspension, discontinuance and revival of undertakings. In substance, all those matters are taken from the Transport and Works Act 1992 and the Harbours Act 1964, and the terminology relating to many of them has been imported into the Bill.

Amendment No. 115 also makes it clear that we do not believe it appropriate for the IPC to make provisions that could create byelaws or criminal offences. We recognise that the promoters of nationally significant infrastructure projects may wish to have powers relating to penalty fare regimes or the enforcement of the proper use of infrastructure, through prosecution for trespass or the breaking of speed limits, for instance. However, we remain of the view that in such circumstances an application should properly be made to the Secretary of State for a Transport and Works Act order or a Harbours Act order, as currently.

Let me deal with Government new clauses 22 and 23, Government amendments Nos. 165 and 270, and Government amendment No. 88, which was in the first group of amendments that we considered. These measures set out a single or harmonised procedure for dealing with the major consents that are needed for offshore development, which are a consent under section 34 of the Coast Protection Act 1949, or a licence under the Food and Environment Protection Act 1985. Those consents will be treated differently from other aspects of the single consents regime. The new clauses and amendments will not disapply the need to seek consents under those Acts, but will allow development consent orders from the IPC to deem consents that must otherwise be applied for under those Acts.

6.30 pm

We have decided to make the CPA and FEPA consents into deemed consents to facilitate enforcement offshore. As the Bill stands without those amendments, the Secretary of State would lose the power to require the owner of infrastructure offshore to take action to prevent a danger to navigation. The provision is important and justifies the CPA consent being a deemed consent. Amendment No. 165 clarifies that enforcement of those consents should be carried out under the enforcement mechanisms in the CPA and the FEPA rather than under the Bill.

For harbours, the overall regulatory structure is different from the large majority of infrastructure types covered by the Bill. With most infrastructure types, a company or person has the ability to undertake whatever development they wish, subject to receiving a certain number of consents or regulatory authorisations. With harbours, a company has no such powers until it receives statutory powers under an order made under the Harbours Act 1964. New clause 21 reflects the fact that a harbour proposal that is a nationally significant infrastructure project, or NSIP, will almost inevitably require changes to the statutory powers held by a harbour authority or the grant of fresh powers to create a new harbour authority. The new clause allows the decision maker to include in a development consent order provisions to allow the creation of a harbour authority or the revision of provisions governing an existing harbour authority.

There will be restrictions on what can be included in a development consent order in relation to a harbour, the most notable of which are set out in amendment No. 115, which I have mentioned. Furthermore, such an order may provide for the creation of a harbour authority only if it is necessary or expedient for a harbour proposal that is an NSIP application. A development consent order will provide for the transfer of property, rights or liabilities between one harbour authority and another only if the order deals also with compensatory payments.

New clause 24 makes it clear that the IPC cannot use the powers in the Bill to override the requirements of operational consents unless the relevant consenting body agrees. We drew the measure from the operation of the Transport and Works Act 1992 and the orders that have been put in place under it. Experience tells us that it can be of benefit to promoters to incorporate certain operational consents into the original authorisation to proceed. However, the position and rights of the bodies that grant operational consents, a leading example of which is the Environment Agency, must be protected. Under the new clause, they must therefore agree to provisions in the development consent order that would override a requirement otherwise to seek operational consent from them. That is what happens under the Transport and Works Act with authorisations for the discharge of water, for example. Several operational consents are devolved matters, and we intend to preserve the devolution settlement, so there is a similar provision in relation to the Welsh Assembly Government.

Finally, let me address the amendments tabled by the hon. Member for Newbury (Mr. Benyon), who is not in his place. I pay tribute to the way in which he raised his concerns in Committee and to how his colleague, the hon. Member for Ruislip-Northwood (Mr. Hurd), expressed similar concerns in the Committee that debated the Housing and Regeneration Bill. In the Committee that discussed the Energy Bill, my hon. Friend the Member for Bolton, South-East (Dr. Iddon) also raised concerns about the health effects of electromagnetic fields.

In Committee, we discussed at some length frequencies known as extremely low frequency electric and magnetic fields, to which I shall refer as ELF EMFs. The main sources of ELF EMFs are power lines, electricity substations, household wiring and electrical appliances in the home. The Government do not believe that the proposed duty on the decision maker—in this case the IPC—is necessary or appropriate at this stage because there are already guidelines on the exposure of people to ELF EMFs.

The hon. Member for Newbury will know that the Government are considering whether any further practical, precautionary measures should be put in place to strengthen the concern to protect people from the possible effects of that sort of radiation. In doing so, we are giving full consideration to the report of the Stakeholder Advisory Group on ELF EMF and to the Health Protection Agency's recommendations on that report. When we draw the matter to a conclusion, we will consider how to implement any precautionary measures that might be justified, which will be implemented at national level.

I hope that the hon. Gentleman will recognise, as he did in Committee, that it would not be sensible, at this stage of this Bill, to pre-empt the conclusions and recommendations that might flow from the report. I pay tribute to him for his tenacity and commitment in raising these concerns, but I urge him not to press his amendments to a vote, and to accept that any policy or precautionary protective changes that might be necessary in future will be put in place by the Government as a result of the conclusions that we reach, based on the SAGE and HPA reports. I hope that my comments help the House with the consideration of this group of new clauses and amendments, and I look forward to the debate.

Mr. David Jones: We are again debating a large number of extensive and technical amendments to the Bill, and I am sure that the Minister will be glad to hear that I shall not berate him again for the lateness of their appearance. However, there are several matters that I wish to raise.

The Minister discussed new clause 21, which relates to harbours and contains powers providing for the creation of harbour authorities. It also contains powers to change the powers and duties of harbour authorities and to authorise the transfer of property rights and liabilities from one harbour authority to another. Will he comment on the fact that in many cases, applicants for development consent under the proposals in the Bill will be harbour authorities? Is it proposed that in such circumstances the rights in the new harbours would simply be vested in the new harbour authorities, or would further procedures have to be undergone to achieve that transference?

In a previous debate today, I referred to general permitted development rights in the context of railways. At that point, the Minister suggested that although such rights were not specifically mentioned in certain clauses of the Bill, that did not mean that they would not be preserved—for harbour authorities, for example. I should simply like to place on record that I have noted that point, as I have no doubt that others will place reliance on it.

New clause 24 makes this provision:

> "An order granting development consent may include provision the effect of which is to remove a requirement for a prescribed consent or authorisation to be granted, only if the relevant body has consented to the inclusion of the provision."

The relevant body is defined as

> "the person or body which would otherwise be required to grant the prescribed consent or authorisation."

At first sight, that appears to be anomalous, given that clause 31—one of the linchpins of the Bill, and, indeed, of the whole single consent regime—provides for the other sorts of consent that might normally need to be obtained to be dispensed with. Will the Minister please explain the purpose of new clause 24, in the context of the provisions in clause 31? Is there a conflict between the two provisions? At first sight, there appears to be one.

The Minister has also mentioned that the new clauses specifically preclude the imposition of new byelaws or the grant of authority to others to impose such byelaws. Again, that appears strange, given that many of the entities that will be created by the Bill—particularly those covered by this group of amendments, including harbour authorities—will have the right to impose byelaws. Given the wide-ranging, sweeping powers that will be granted to the IPC by the Bill, even to the extent of enabling it to amend primary legislation, it seems odd that the power to confer the right to make byelaws has specifically been excluded. Perhaps the Minister could comment on that.

New clause 23 provides:

> "An order granting development consent may include provision deeming a licence to have been issued under Part 2 of the Food and Environment Protection Act 1985".

That relates, inter alia, to the laying of installations on the sea bed. The deemed licence is limited to England and English waters, or to a renewable energy zone designated under section 1(7) of the Continental Shelf Act 1964, except any part of that area that is part of the Scottish renewable energy zone. Please will the Minister explain why the new clause does not relate to Welsh waters, especially in the light of the fact that large-scale offshore wind developments—a reserved matter—will probably require a licence to be made under the 1985 Act?

Finally, I should like to apologise for the absence from the Chamber of my hon. Friend the Member for Newbury (Mr. Benyon). I am sure that he will appreciate the thoughtful and kind way in which the Minister has dealt with his proposed amendments, and I am authorised to say that my hon. Friend would have sought to withdraw them.

Dan Rogerson: As we heard in our debate on the programme motion, we are working under considerable time constraints. We have another two groups of amendments to discuss in the next hour, so I shall not detain the House for long. I simply want to note that another whole area of authorities is being given to this unelected body, which will be able to take decisions on matters such as setting up a new harbour authority, for example. We have already discussed the IPC, the broad range of competencies and skills that its commissioners will need to have, and the information that they will have to contend with. While I suppose that it makes sense to have provisions that will enable development to be considered and put in place at the granting of a development consent order, this will mean that the IPC will have to get to grips with a whole new set of competencies. I am concerned about the organisation's ability to do these things adequately and properly within the necessary time scales.

6.45 pm

The hon. Member for Clwyd, West (Mr. Jones) has already referred to a number of the problems arising from the new clauses. Perhaps I have misunderstood new clause 22—I hope that the Minister will be able to clarify the matter—when it talks about section 34 of the Coast Protection Act 1949. It seems to suggest that people who do not comply when consent is deemed to have been given without conditions will not be subject to enforcement mechanisms under clause 134 of the Bill. The Minister might wish to reflect on this point and to check whether my understanding is correct. I am concerned that there should not be any loosening of the strictures that would be placed on people under the existing legislation, to which the Bill refers, when bringing these matters under the remit of the IPC. Marine protection is a sensitive area, and there will shortly be a Bill to consider all those issues. I want to ensure that there will be no watering down of any conditions, and that enforcement will take place if any action taken under a DCO is questioned.

Mr. Clifton-Brown: I wonder whether the Minister could help the House. Clause 109 contains a long list of what may be included in an order granting development consent. Presumably, those are the really important things, as they will be in the main order. The Minister has tabled new schedule 3 today, which relates to matters ancillary to development. One might assume that those matters were less important, because they are ancillary. In the original clause, there are 26 items, but in the new schedule, there are no fewer than 38. A quick scan of what is included in each of the provisions reveals that the items in the new schedule include carrying out civil engineering or other works, and entering into an agreement for the provision of police services. In addition, item 28 relates to:

> "Deeming any such conditions to have been imposed by the Secretary of State under that section."

Item 29 relates to:

> "Deeming a licence under Part 2 of the Food and Environment Protection Act 1985…to have been issued".

Item 30 relates to:

> "Deeming any such provisions to have been included in the licence by the specified licensing authority by virtue of that Act."

I understand why items 31 to 34 were not included in the original provision, but it seems odd to have included them among the ancillary items, because they are important. They include: the creation of a harbour authority; changing the powers and duties of a harbour authority; the transfer of property, rights, liabilities, or functions; and the transfer, leasing, suspension, discontinuance and revival of undertakings.

I think that the Minister said that the list in new schedule 3 was from the Transport and Works Act 1992. I cannot remember the exact wording of the Act. I would be grateful if he could tell us why the list of main items in clause 109 is less inclusive than the list of ancillary items.

John Healey: A series of important points, some of which I touched on, have been made, but I shall deal with them—I hope adequately—in my response to the debate.

First, I say to the hon. Member for Clwyd, West (Mr. Jones) that we believe that what we have under the current regime—the range of provisions that a decision maker, which in this case is the IPC, can include in development consent orders—is the right mix.

Our starting principle has been to try to ensure that, as far as possible, orders that grant development consent cover all the consents and authorisations to proceed—if that is the judgment of the commission and the judgment on the application—necessary for the nationally significant infrastructure project to proceed.

As I described earlier this afternoon, that is one of the important prizes in the overall reforms that we propose in the Bill. However, we believe that two aspects—bylaws in particular and powers to make criminal offences—fall into what I suppose is a different category. We do not believe that, on its own, the IPC should decide such matters, nor should promoters apply simply to the IPC for them to be included in a development consent order. So, we have constructed the Bill in such a way that promoters may continue, as they do now, to apply separately under the Transport and Works Act 1992 and the Harbours Act 1964 if they want bylaw-making powers or the powers to create criminal offences for particular reasons related to their project. Government amendment No. 115 applies not simply to harbour developments; it applies to the 1992 Act and the 1964 Act together.

The hon. Member for Clwyd, West probed a little further on harbours. New clause 21 allows the inclusion in a development consent order of the creation of a new harbour authority or the revision of provisions governing an existing harbour authority. That is expressed in schedule 2 to the 1964 Act. I did not spell that out before, but these remarks might be helpful because he was probing to find out precisely what that might entail.

The schedule includes such things as the creation of a harbour authority, including the approval of a constitution; the conferring of powers and duties; setting the jurisdiction of the authority and allowing it to ask a justice of the peace to appoint constables; the revision of a harbour authority or the merging of two harbour authorities into one; the transfer of property from one harbour authority to another; the disposal of property vested in a harbour authority; and the charging of tolls, fares and other charges. That is the range of provision in existing legislation that we propose potentially to make available, where it is justified, as part of the single development consent.

On coastal protection, the hon. Member for North Cornwall (Dan Rogerson) wants an assurance, particularly with the Marine Bill in prospect, that there will be no watering down of enforcement powers. Precisely for that reason, we are taking the approach that we are. Rather than make the Bill disapply the need for consents either under the Coastal Protection Act 1949 or under the Food and Environment Protection Act 1985, we are making the consent a deemed consent precisely so that the full range of enforcement powers under both Acts remains in place and can be discharged.

The amendments delete the references to the 1949 Act, reinserting them as a deemed consent. They also insert in the Bill, for the first time, licences under the 1985 Act, again as deemed licences. We have done that to make the enforcement provisions as strong as they are at present. That gives the Secretary of State the same power to intervene in an emergency to require the owner of infrastructure offshore to take certain actions that may be required to prevent a danger to navigation. However, because those powers are operational only where what is termed a section 34 consent is in place, they will not be operational if a development consent order has disapplied rather than deemed as part of the consent agreement; otherwise, the Secretary of State would lose the powers that he needs at the moment.

To return to the starting point of the hon. Gentleman's concern, the Marine Bill will rework the regulatory regime for offshore development by streamlining the CPA consents and FEPA licences in a single regime. Uniform enforcement would be facilitated if the IPC deemed consents in respect of offshore nationally significant infrastructure project consents. That is the purpose of our amendment No. 165, clarifying, therefore, the fact that enforcement for those consents is to be carried out under those two existing provisions, which will, in time, be consolidated in the new Marine Bill. Incidentally, they will be enforced through the new marine management organisation.

[John Healey]

Finally, the hon. Gentleman was concerned about the breadth of the powers in relation to harbours. I have explained the restrictions under amendment No. 115. I have confirmed that the development consent orders will not allow the creation or modification of bylaws or criminal offences and why we believe that is right. I make it clear to the House that the development consent order for harbours will be able to provide for the creation of the harbour authority only where that is necessary or expedient in relation to a particular harbour nationally significant infrastructure project application.

I say to the hon. Member for Cotswold (Mr. Clifton-Brown) that the fact that different items are listed in the Bill and in the proposal that we are making does not make any of those things less important. I tried to explain earlier that we are consolidating what we already have in clause 109(4) in new schedule 3 and adding items that we think are appropriate but that are not yet in that list. That is why the proposed list is longer and more comprehensive, and therefore a better reflection of the matters that may be required within a single development consent order, as well as appropriate for the commission to consider as part of any application, if that is what the promoter decides.

Mr. Clifton-Brown: I am extremely grateful to the Minister for those helpful remarks, but some of the powers in new schedule 3 are very wide indeed. The basic building block of the Town and Country Planning Act 1947 were civil and other engineering works. What safeguards will there be for people who are affected by an IPC decision that those powers are strictly necessary for a development? Will there be any appeal mechanism? Will there be a mechanism for appeal to the courts through judicial review? How will this work?

John Healey: The hon. Gentleman tempts me into territory that we shall deal with at length in debates to come. Essentially, the Bill contains a number of new steps, including, for the first time, a legal duty and requirement on any promoter of an application or a project to consult widely—local councils and local communities—in preparing an application. So, promoters must make clear the degree to which they want to include in a single application elements covering any of those areas as part of the consent application.

7 pm

The commission will not even receive and consider any application unless the pre-application requirements have been properly carried out. Then, any local interest, local group, local resident, local council or anyone concerned will have the right through the application process to register their concern in writing, and will have the right to be heard orally as part of one of the sessions that the IPC will conduct. Therefore, they can alert the IPC to areas that perhaps require questioning by the commission of the promoter during consideration of an application. There should be ample information and publication, proper cross-questioning and full consideration of any elements such as this that may form part of an application for a single consent.

I hope that what I have said helps the House.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 21

HARBOURS

'(1) An order granting development consent may include provision for the creation of a harbour authority only if—

(a) the development to which the order relates is or includes the construction or alteration of harbour facilities, and

(b) the creation of a harbour authority is necessary or expedient for the purposes of the development.

(2) An order granting development consent may include provision changing the powers or duties of a harbour authority only if—

(a) the development to which the order relates is or includes the construction or alteration of harbour facilities, and

(b) the authority has requested the inclusion of the provision or has consented in writing to its inclusion.

(3) An order granting development consent may include provision authorising the transfer of property, rights or liabilities from one harbour authority to another only if—

(a) the development to which the order relates is or includes the construction or alteration of harbour facilities, and

(b) the order makes provision for the payment of compensation of an amount—

(i) determined in accordance with the order, or

(ii) agreed between the parties to the transfer.

(4) An order granting development consent which includes provision for the creation of a harbour authority, or changing the powers or duties of a harbour authority, may also make other provision in relation to the authority.

This is subject to subsection (6).

(5) Subject to subsection (6), the provision which may be included in relation to a harbour authority includes in particular—

(a) any provision in relation to a harbour authority which could be included in a harbour revision order under section 14 of the Harbours Act 1964 by virtue of any provision of Schedule 2 to that Act;

(b) provision conferring power on the authority to change provision made in relation to it (by the order or by virtue of this paragraph), where the provision is about—

(i) the procedures (including financial procedures) of the authority;

(ii) the power of the authority to impose charges;

(iii) the power of the authority to delegate any of its functions;

(iv) the welfare of officers and employees of the authority and financial and other provision made for them.

(6) The order may not include provision—

(a) which, by virtue of any other provision of this Act, is not permitted to be included in an order granting development consent;

(b) conferring power on a harbour authority to delegate, or makes changes to its powers so as to permit the delegation of, any of the functions mentioned in paragraphs (a) to (f) of paragraph 9B of Schedule 2 to the Harbours Act 1964.'.—*[John Healey.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 22

Deemed consent under section 34 of the Coast Protection Act 1949

'(1) An order granting development consent may include provision deeming consent under section 34 of the Coast Protection Act 1949 to have been given for any operations only if the operations are to be carried out wholly in one or more of the areas specified in subsection (2).

(2) The areas are—

(a) England;

(b) Wales;

(c) waters adjacent to England or Wales up to the seaward limits of the territorial sea;

(d) an area designated under section 1(7) of the Continental Shelf Act 1964.

(3) Subsection (4) applies if an order granting development consent includes provision—

(a) deeming consent under section 34 of the Coast Protection Act 1949 to have been given subject to specified conditions, and

(b) deeming those conditions to have been imposed by the Secretary of State under that section.

(4) A person who fails to comply with such a condition does not commit an offence under section 134 of this Act.'.—*[John Healey.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 23

Deemed licences under Part 2 of the Food and Environment Protection Act 1985

'(1) An order granting development consent may include provision deeming a licence to have been issued under Part 2 of the Food and Environment Protection Act 1985 for any operations only if the operations are to be carried out wholly in one or more of the areas specified in subsection (2).

(2) The areas are—

(a) England;

(b) waters adjacent to England up to the seaward limits of the territorial sea;

(c) a Renewable Energy Zone, except any part of a Renewable Energy Zone in relation to which the Scottish Ministers have functions;

(d) an area designated under section 1(7) of the Continental Shelf Act 1964, except any part of that area which is within a part of a Renewable Energy Zone in relation to which the Scottish Ministers have functions.

(3) Subsections (4) and (5) apply if an order granting development consent includes provision—

(a) deeming a licence to have been issued under Part 2 of the Food and Environment Protection Act 1985 subject to specified provisions, and

(b) deeming those provisions to have been included in the licence by virtue of that Act.

(4) A person who fails to comply with such a provision does not commit an offence under section 134 of this Act.

(5) Paragraphs 1 and 2 of Schedule 3 to the Food and Environment Protection Act 1985 (licences: right to make representations etc.) do not apply in relation to the deemed licence.'.—*[John Healey.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 24

Removal of consent requirements

'(1) An order granting development consent may include provision the effect of which is to remove a requirement for a prescribed consent or authorisation to be granted, only if the relevant body has consented to the inclusion of the provision.

(2) "The relevant body" is the person or body which would otherwise be required to grant the prescribed consent or authorisation.'.—*[John Healey.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 26

Interpretation: land and rights over land

'(1) This section applies for the purposes of this Part.

(2) "Land" includes any interest in or right over land.

(3) Acquiring a right over land includes acquiring it by the creation of a new right as well as by the acquisition of an existing one.'.—*[John Healey.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 37

Application of compulsory acquisition procedure provisions

'(1) This section applies if an order granting development consent includes provision authorising the compulsory acquisition of land.

(2) Part 1 of the Compulsory Purchase Act 1965 (procedure for compulsory purchase) applies to the compulsory acquisition of land under the order—

(a) as it applies to a compulsory purchase to which Part 2 of the Acquisition of Land Act 1981 applies, and

(b) as if the order were a compulsory purchase order under that Act.

(3) Part 1 of the Compulsory Purchase Act 1965, as applied by subsection (2), has effect with the omission of the following provisions—

(a) section 4 (time limit for exercise of compulsory purchase powers);

(b) paragraph 3(3) of Schedule 3 (provision as to giving of bonds).

(4) In so far as the order includes provision authorising the compulsory acquisition of land in Scotland—

(a) subsections (2) and (3) do not apply, and

(b) the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 ("the 1947 Act") applies to the compulsory acquisition of that land under the order as if the order were a compulsory purchase order as defined in section 1(1) of that Act.

(5) The 1947 Act, as applied by subsection (4), has effect with the omission of the following provisions—

(a) Parts 2 and 3 of the First Schedule (compulsory purchase by Ministers and special provisions as to certain descriptions of land);

(b) section 116 of the Lands Clauses Consolidation (Scotland) Act 1845 (time limit for exercise of compulsory purchase powers) (that section being incorporated into the 1947 Act by paragraph 1 of the Second Schedule to the 1947 Act).

(6) Subsections (2) to (5) are subject to any contrary provision made by the order granting development consent.'.—*[John Healey.]*

Brought up, read the First and Second time, and added to the Bill.

Clause 109

WHAT MAY BE INCLUDED IN ORDER GRANTING DEVELOPMENT CONSENT

Amendments made: No. 114, page 56, line 15, leave out from 'The' to end of line 10 on page 57 and insert

'provision that may be made under subsection (3) includes in particular provision for or relating to any of the matters listed in Part 1 of Schedule (Provision relating to, or to matters ancillary to, development)'.

No. 115, page 57, line 25, leave out from '(8)' to end of line and insert

'Subsections (3) to (7) are subject to subsection (8A) and the following provisions of this Chapter.

'(8A) An order granting development consent may not include provision—

(a) making byelaws or conferring power to make byelaws;

(b) creating offences or conferring power to create offences;

(c) changing an existing power to make byelaws or create offences.

(8B) To the extent that provision for or relating to a matter may be included in an order granting development consent, none of the following may include any such provision—

(a) an order under section 14 or 16 of the Harbours Act 1964 (orders in relation to harbours, docks and wharves);

(b) an order under section 4(1) of the Gas Act 1965 (order authorising storage of gas in underground strata);

(c) an order under section 1 or 3 of the Transport and Works Act 1992 (orders as to railways, tramways, inland waterways etc.).'.

No. 116, line 26, leave out subsection (9).—*[John Healey.]*

Clause 114

STATUTORY UNDERTAKERS' LAND

Amendments made: No. 117, page 59, line 17, leave out from 'that' to end of line 22 and insert 'the Secretary of State—

(a) is satisfied of the matters set out in subsection (3), and

(b) issues a certificate to that effect.'.

No. 118, line 28, at end insert—

'(3A) Subsections (2) and (3) do not apply in a case within subsection (4).'.

No. 119, line 30, leave out 'relevant'.

No. 120, line 31, leave out from 'that' to end of line 36 and insert 'the Secretary of State—

(a) is satisfied of the matters set out in subsection (5), and

(b) issues a certificate to that effect.'.

No. 121, line 42, at end insert—

'(5A) If the Secretary of State issues a certificate under subsection (2) or (4), the Secretary of State must—

(a) publish in one or more local newspapers circulating in the locality in which the statutory undertakers' land is situated a notice in the prescribed form that the certificate has been given, and

(b) in a case where a Panel or the Council is the decision-maker, notify the Commission that the certificate has been given.'.

No. 122, line 44, leave out from beginning to end of line 45.

No. 123, line 46, leave out 'that Act' and insert 'the Acquisition of Land Act 1981'.

No. 124, line 47,, after first 'undertakers', insert '—

(a) which are deemed to be statutory undertakers for the purposes of that Act, by virtue of another enactment;

(b) '.—*[John Healey.]*

Clause 115

LOCAL AUTHORITY LAND AND STATUTORY UNDERTAKERS' LAND: GENERAL

Amendments made: No. 125, page 60, line 16, leave out from 'applies' to end of line 18.

No. 126, leave out line 30.

No. 127, line 32, after first 'undertakers', insert '—

(a) which are deemed to be statutory undertakers for the purposes of that Act, by virtue of another enactment;

(b) '.—*[John Healey.]*

Clause 116

LOCAL AUTHORITY AND STATUTORY UNDERTAKERS' LAND: ACQUISITION BY PUBLIC BODY

Amendments made: No. 128, page 60, line 41, leave out 'an interest in'.

No. 129, line 42, leave out 'interest' and insert 'land'.

No. 130, page 61, line 8, after 'undertakers', insert '—

(a) which are deemed to be statutory undertakers for the purposes of that Act, by virtue of another enactment;

(b) '.—*[John Healey.]*

Clause 117

NATIONAL TRUST LAND

Amendments made: No. 131, page 61, line 18, leave out from 'applies' to end of line 20.

No. 132, line 34, leave out from beginning to end of line 35.—*[John Healey.]*

Clause 118

COMMONS, OPEN SPACES ETC: COMPULSORY ACQUISITION OF LAND

Amendments made: No. 133, page 61, line 38, at end insert—

'(1A) This section does not apply in a case to which section 119 applies.'.

No. 134, line 41, leave out from 'unless' to end of line 3 on page 62 and insert 'the Secretary of State—

(a) is satisfied that subsection (3) or (5) applies, and

(b) issues a certificate to that effect.'.

No. 135, page 62, line 10, leave out subsection (4).

No. 136, line 13, leave out '209.03' and insert '200'.

No. 137, line 18, at end insert—

'(5A) If the Secretary of State proposes to issue a certificate under subsection (2), the Secretary of State must—

(a) give notice of the proposal or direct the person who applied for the order granting development consent to do so, and

(b) give any persons interested in the proposal an opportunity to make representations about the proposal.

(5B) The Secretary of State may also cause a public local inquiry to be held in relation to the proposal.

(5C) The Secretary of State may issue the certificate only after considering—

(a) any representations made about the proposal, and

(b) if an inquiry has been held under subsection (5B), the report of the person who held the inquiry.

(5D) Notice under subsection (5A)(a) must be given in such form and manner as the Secretary of State may direct.

(5E) If the Secretary of State issues a certificate under subsection (2), the Secretary of State must—

(a) publish in one or more local newspapers circulating in the locality in which the order land is situated a notice in the prescribed form that the certificate has been given, or direct the person who applied for the order granting development consent to do so, and

(b) in a case where a Panel or the Council is the decision-maker, notify the Commission that the certificate has been given, or direct the person who applied for the order granting development consent to do so.'.

No. 138, line 26, leave out subsection (7).

No. 139, line 28, leave out from '"common"' to end of line 33 and insert

', "fuel or field garden allotment" and "open space" have the same meanings as in section 19 of the Acquisition of Land Act 1981;'.—*[John Healey.]*

Clause 119

COMMMONS, OPEN SPACES ETC. COMPULSORY ACQUISITION OF RIGHTS OVER LAND

Amendments made: No. 140, page 62, line 45, leave out 'relevant'.

No. 141, line 45, after 'applies', insert

'by the creation of a new right over land'.

No. 142, line 45, leave out from 'unless' to end of line 5 on page 63 and insert 'the Secretary of State—

(a) is satisfied that one of subsections (3) to (6) applies, and

(b) issues a certificate to that effect.'.

No. 143, page 63, line 18, leave out subsection (5).

No. 144, line 21, leave out '209.03' and insert '200'.

No. 145, line 27, at end insert—

'(6A) If the Secretary of State proposes to issue a certificate under subsection (2), the Secretary of State must—

(a) give notice of the proposal or direct the person who applied for the order granting development consent to do so, and

(b) give any persons interested in the proposal an opportunity to make representations about the proposal.

(6B) The Secretary of State may also cause a public local inquiry to be held in relation to the proposal.

(6C) The Secretary of State may issue the certificate only after considering—

(a) any representations made about the proposal, and

(b) if an inquiry has been held under subsection (6B), the report of the person who held the inquiry.

(6D) Notice under subsection (6A)(a) must be given in such form and manner as the Secretary of State may direct.

(6E) If the Secretary of State issues a certificate under subsection (2), the Secretary of State must—

(a) publish in one or more local newspapers circulating in the locality in which the order land is situated a notice in the prescribed form that the certificate has been given, or direct the person who applied for the order granting development consent to do so, and

(b) in a case where a Panel or the Council is the decision-maker, notify the Commission that the certificate has been given, or direct the person who applied for the order granting development consent to do so.'.

No. 146, line 29, leave out 'relevant'.

No. 147, line 29, after 'applies', insert

'by the creation of a new right over land'.

No. 148, line 38, leave out subsection (8).

No. 149, line 41, leave out '118' and insert

'19 of the Acquisition of Land Act 1981'.

No. 150, line 44, leave out 'relevant'.

No. 151, line 46, leave out from beginning to end of line 47.—*[John Healey.]*

Clause 120

CROWN LAND

Amendment made: No. 152, page 64, line 13, at end insert—

'(2) An order granting development consent may include any other provision applying in relation to Crown land, or rights benefiting the Crown, only if the appropriate Crown authority consents to the inclusion of the provision.

(3) The reference in subsection (2) to rights benefiting the Crown does not include rights which benefit the general public.

(4) For the purposes of this section "the Crown" includes—

(a) the Duchy of Lancaster;

(b) the Duchy of Cornwall;

(c) the Speaker of the House of Lords;

(d) the Speaker of the House of Commons;

(e) the Corporate Officer of the House of Lords;

(f) the Corporate Officer of the House of Commons.'.—*[John Healey.]*

Ordered, That clause 120 be transferred to the end of line 8 on page 65.—*[John Healey.]*

Clause 121

NOTICE OF AUTHORISATION OF COMPULSORY ACQUISITION

Amendments made: No. 153, page 64, line 20, leave out from 'means' to end of line and insert—

'—

(a) in a case where the order granting development consent authorises the compulsory acquisition of a right over land by the creation of a new right, the land over which the right is to be exercisable;

(b) in any other case where the order granting development consent authorises the compulsory acquisition of land, the land authorised to be compulsorily acquired;'.

No. 154, line 21, leave out from 'means' to end of line 22 and insert—

'—

(a) in a case where the order granting development consent authorises the compulsory acquisition of a right over land by the creation of a new right, the person for whose benefit the order authorises the creation of the right;

(b) in any other case where the order granting development consent authorises the compulsory acquisition of land, the person authorised by the order to compulsorily acquire the land.'.

No. 155, line 43, at end insert—

'(aa) in a case where the order granting development consent authorises the compulsory acquisition of a right over land by the creation of a new right, describing the right,'.

No. 156, page 65, line 2, after 'authorising', insert 'the compulsory acquisition of a right over the land by the creation of a right over it or (as the case may be)'.—*[John Healey.]*

Clause 122

PUBLIC RIGHTS OF WAY

Amendment made: No. 157, page 65, line 13, at end insert—

'(2) The following provisions of this section apply if—

(a) an order granting development consent makes provision for the acquisition of land, compulsorily or by agreement,

(b) the order extinguishes a public right of way over the land, and

(c) the right of way is not a right enjoyable by vehicular traffic.

(3) The order granting development consent may not provide for the right of way to be extinguished from a date which is earlier than the date on which the order is published.

(4) Subsection (5) applies if—

(a) the order granting development consent extinguishes the right of way from a date ("the extinguishment date") which is earlier than the date on which the acquisition of the land is completed, and

(b) at any time after the extinguishment date it appears to the appropriate authority that the proposal to acquire the land has been abandoned.

(5) The appropriate authority must by order direct that the right is to revive.

(6) "The appropriate authority" is—

(a) if the order granting development consent was made by a Panel or the Council, the Commission;

(b) in any other case, the Secretary of State.

(7) Nothing in subsection (5) prevents the making of a further order extinguishing the right of way.'.—*[John Healey.]*

Clause 126

HIGHWAYS

Amendments made: No. 158, page 65, line 39, leave out 'proposed'.

No. 159, page 66, line 2, leave out 'proposed'.

No. 160, line 8, after 'construction', insert 'or improvement'.—*[John Healey.]*

New Clause 27

THE RELEVANT LOCAL PLANNING AUTHORITY

'(1) This section applies for the purposes of this Part.

(2) The relevant local planning authority in relation to any land is the local planning authority for the area in which the land is situated.

This is subject to subsections (3) to (5).

(3) Subsections (4) and (5) apply if the land is in an area for which there is both a district planning authority and a county planning authority.

(4) If any of the relevant development is the construction or alteration of a hazardous waste facility within section 13(1)(o), the relevant local planning authority is the county planning authority.

(5) In any other case, the relevant local planning authority is the district planning authority.

(6) "The relevant development" is—

(a) if the relevant offence is an offence under section 133 or 134(1)(a), the development referred to in section 133(1) or 134(1)(a);

(b) if the relevant offence is an offence under section 134(1)(b), the development to which the order granting development consent mentioned in section 134(1)(b) relates.

(7) "The relevant offence" is the offence by reference to which a provision of this Part confers a function on a local planning authority.'.—*[Mr. Dhanda.]*

Brought up, and read the First time.

Mr. Dhanda: : I beg to move, That the clause be read a Second time.

Madam Deputy Speaker: With this it will be convenient to discuss the following:

Government amendments Nos. 167 to 183 and 279

Mr. Dhanda:: Amendment No. 167 responds to points made in Committee by the hon. Member for Bromley and Chislehurst (Robert Neill), which were also made by his friends in the Law Society. In particular, the hon. Gentleman identified a loophole in clause 135, whereby a local authority could indefinitely extend the period in which enforcement action may be taken against a promoter.

The amendment will allow local authorities to extend the enforcement period by issuing an information notice or seeking an injunction only in the four years following completion of a development or the point at which the breach of any requirements occurred. That changes the current drafting, which removes the four-year time limit for bringing prosecutions in cases in which a local authority has served an information notice under clause 140 every four years, or made an application for an injunction without imposing an extended time limit within which a prosecution must be brought. As members of the Committee will recall, the original drafting allowed the continual submission of information requests to cause the possibility of enforcement to hang over a developer for many years. We are grateful to the hon. Member for Bromley and Chislehurst for making that clear to us. The amendment will prevent the four-year period from perennially recurring.

New clause 27 and the consequential amendments Nos. 168 to 183 cover a different matter relating to who can take enforcement action. Under part 8, any local authority could initiate such action, whether or not it took place in its local area. We believe that it should be for the authority whose area contains the development to decide whether unauthorised development has taken place and whether enforcement action is necessary. The new clause prevents any old authority, whether or not it is at all close to the development in question, from submitting an objection willy-nilly. It also clarifies which is the relevant local planning authority in areas where district and county authorities overlap. County authorities will have responsibility in the case of nationally significant infrastructure projects involving, for example, hazardous waste.

Amendment No. 279 makes a minor change to the Housing and Regeneration Bill, clause 13 of which sets out the planning functions that can be conferred on the Homes and Communities Agency. That reflects existing powers in relation to English Partnerships. One of the functions is enforcement, under both the Town and Country Planning Act and part 8 of this Bill. However, as the Housing and Regeneration Bill will receive Royal Assent before this Bill, references to the Planning Act 2008 must be removed and added as a consequential amendment on Royal Assent for the Planning Bill.

Mr. David Jones: As I want to raise other matters later, I shall not delay the House for long.

I am delighted that the Government have accepted the objection raised by my hon. Friend the Member for Bromley and Chislehurst (Robert Neill) to the original drafting and tabled their own amendment, which we welcome wholeheartedly. However, I want to make a minor point about the Minister's reference to the relevant planning authority under new clause 27. He said that the relevant authority in the case of, "for example", hazardous waste was the county planning authority. I believe that it is the relevant authority exclusively in the case of hazardous waste. Perhaps the Minister can confirm that.

Dan Rogerson: I agree with the hon. Member for Clwyd, West (Mr. Jones) that we should use the time available as economically as possible.

I fear that new clause 27 does nothing to help local authorities to deal with the responsibility that they are being given. The power to make decisions on an important scheme will be denied to them, but the responsibility for clearing up any mess will rest firmly with them.

I think it right for local authorities to be responsible for enforcement, but will they have the necessary resources? Some very technical conditions may be imposed. There are excellent planners in local government, but not many in each authority because of recruitment and training difficulties, and not enough of them given the number of applications with which they must deal. Certain authorities will have a huge burden placed on them. Although that does not necessarily relate directly to the specific wording of the new clause, I consider it an important point, and I hope that the Minister will be able to respond to it.

Mr. Dhanda: As much as it pains me to admit it, the hon. Member for Clwyd, West is quite right. I cannot think of any area other than hazardous waste, so he is correct. I disagree with the hon. Member for North Cornwall. I think this is a great opportunity for the IPC and local authorities to work in partnership. As the local delivery agency, the local authority is the right agency to be inspecting nationally significant infrastructure projects. Local authorities have a vested interest, so giving them the power to serve these notices for information, and allowing them to set time frames for changes to be made should a developer not fulfil everything required by the consent, is the right thing to do—

Mr. Clifton-Brown: Will the Under-Secretary give way?

Mr. Dhanda: My neighbour, the hon. Member for Cotswold, has the habit of intervening just as I am about to sit down. I will let him do so once more.

Mr. Clifton-Brown: I am very grateful; the Minister has been generous. The hon. Member for North Cornwall (Mr. Rogerson) made a very good point. The enforcement powers are likely to be time consuming and will require a great deal of expertise from senior planning officers. Therefore, small authorities such as my own—the Under-Secretary knows it well—and, no doubt, in North Cornwall will be overstretched in dealing with enforcement issues. Will there be any mechanism whereby they can reclaim costs incurred in taking enforcement measures?

Mr. Dhanda: I am not going to get into rewriting Finance Bills here and now in the Chamber. Local authorities, as well as benefiting from some of these big infrastructure projects, will want to play their part in inspecting them to make sure that those involved are adequately doing what is expected of them. The debate about how that will be resourced is for another day.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

Clause 134

BREACH OF TERMS OF ORDER GRANTING DEVELOPMENT CONSENT

Amendment made: No. 165, in page 68, line 25 , at end insert—

'(1A) Subsection (1) is subject to sections [Deemed consent under section 34 of the Coast Protection Act 1949](4) and [Deemed licences under Part 2 of the Food and Environment Protection Act 1985](4).'.—*[Mr. Dhanda]*

Clause 135

TIME LIMITS

Amendment made: No. 167, in page 68, line 32, leave out from '133' to end of line 5 on page 69 and insert 'or 134 after the end of—

(a) the relevant 4-year period, or

(b) if subsection (3) applies, the extended period.

(2) The "relevant 4-year period" means—

(a) in the case of an offence under section 133, the period of 4 years beginning with the date on which the development was substantially completed;

(b) in the case of an offence under section 134, the period of 4 years beginning with the later of—

(i) the date on which the development was substantially completed, and

(ii) the date on which the breach or failure to comply occurred.

(3) This subsection applies if during the relevant 4-year period—

(a) an information notice has been served under section 140, or

(b) an injunction has been applied for under section 144.

(4) The "extended period" means the period of 4 years beginning with—

(a) the date of service of the information notice, if subsection (3)(a) applies;

(b) the date of the application for the injunction, if subsection (3)(b) applies;

(c) the later (or latest) of those dates, if both paragraphs (a) and (b) of subsection (3) apply.'.—*[Mr. Dhanda.]*

Clause 136

Right to enter without warrant

Amendments made: No. 168, in page 69, line 8 , leave out 'if a' and insert

'in relation to any land if the relevant'.

No. 169, in page 69, line 10 , leave out 'any' and insert 'the'.

No. 170, in page 69, line 11 , after 'the', insert 'relevant'.—*[Mr. Dhanda.]*

Clause 137

Right to enter under warrant

Amendment made: No. 171, in page 69, line 29, leave out 'a' and insert 'the relevant'.—*[Mr. Dhanda.]*

Clause 140

Power to require information

Amendments made: No. 172, in page 70, line 22, leave out 'If it appears to a' and insert

'This section applies in relation to any land if it appears to the relevant'.

No. 173, line 23, leave out 'any land, it' and insert 'the land.

(1A) The relevant local planning authority'.

No. 174, line 38, after 'the', insert 'relevant'.—*[Mr. Dhanda.]*

Clause 142

Notice of unauthorised development

Amendments made: No. 175, in page 71, line 20, after '133', insert

'committed on or in respect of any land'.

No. 176, line 21, after 'The', insert 'relevant'.

No. 177, line 28, after '134', insert

'committed on or in respect of any land'.

No. 178, line 29, after 'The', insert 'relevant'.—*[Mr. Dhanda.]*

Clause 143

Execution of works required by notice of unauthorised development

Amendments made: No. 179, in page 72, line 3, after fourth 'the', insert 'relevant'.

No. 180, line 14, after 'the', insert 'relevant'.

No. 181, line 34 , leave out 'a' and insert 'the relevant'.—*[Mr. Dhanda.]*

Clause 144

Injunctions

Amendment made: No. 182, in page 73, line 2 , after '134', insert

'in relation to land in the area of the local planning authority'.—*[Mr. Dhanda.]*

Clause 145

Isles of Scilly

Amendment made: No. 183, in page 73, line 9, after 'Scilly', insert

'in relation to land in the Council's area'.—*[Mr. Dhanda.]*

New Clause 14

Correction of errors in development consent decisions

'Schedule [*Correction of errors in development consent decisions*] (correction of errors in development consent decisions) has effect.'.—*[Mr. Dhanda.]*

Brought up, and read the First time.

Mr. Dhanda: I beg to move, That the clause be read a Second time.

Madam Deputy Speaker: With this it will be convenient to discuss the following: Government new clause 25—*Changes to, and revocation of, orders granting development consent.*

Government amendments Nos. 113, 166 and 246.

Government new schedule 2—*Correction of errors in development consent decisions.*

Government new schedule 4—*Changes to, and revocation of, orders granting development consent.*

Mr. Dhanda: These Government amendments, new clauses and new schedules cover a wide range of areas that we believe will be necessary to ensure that the single consents regime provides real benefits to promoters of nationally significant infrastructure projects and to the wider public. In particular, the amendments deal with how a development consent order could be modified at a later date, where changes prove necessary.

Given the size and complexity of nationally significant infrastructure projects, it is almost inevitable that changes to the design of the project may need to be made as construction progresses. The single consents regime would be of little help to promoters, if it were not nimble or flexible enough to allow some changes to be made without forcing the whole project to start all over again from square one. The amendments set out two mechanisms for how this might be done in a manner that is both proportionate to the complexity of the changes and suitable for the task in hand.

The first mechanism relates to the correction of a decision where there is a non-significant error, such as a typo in a decision document—these things happen. The mechanism is intended solely for the correction of clerical errors in the documents. Under the procedure, the appropriate authority may make corrections where it finds that the decision documents do not properly reflect the decision that it reached. The procedures set out are intended to be speedy, while ensuring that all interested parties are notified of corrections the authority intends to make.

7.15 pm

There are consequential amendments that follow from the procedure, particularly amendment No. 113, which outlines that challenges to a decision to correct an error should be made through judicial review, as is the case with regard to all the other decisions made by the appropriate authority. Amendment No. 166 gives a defence against an offence under clause 134, where the offence was caused by an error that had been corrected. The second mechanism relates to how development consent orders could be subsequently modified or revoked, when the original decision documents accurately reflected the decision that was made.

The categories of person who may apply for a revocation or modification of a development consent order are thus: the applicant or his successor in title, or otherwise the beneficiary of the development consent order; the relevant local planning authority, where the development contained in the order has been abandoned and has resulted in a reduced amenity of surrounding land; the appropriate authority, if it believes that the development consent order contains a significant error within it; and the Secretary of State, if he or she believes that if development were carried out in accordance with the order, it would contravene Community or human rights law.

Where the IPC or Secretary of State applies for a revocation or modification, they may be liable to pay compensation to those who incurred loss because of the changes. New schedule 4 includes a power allowing the Secretary of State to prescribe further detail on the procedures by which applications for modification or revocation should be handled. We intend that the procedures for modification or revocation of an order will be more onerous, obviously, than for the correction of errors and may, depending on the complexity of the changes applied for, involve a full scale examination along the lines set out elsewhere in the Bill. Where the effects of a proposed modification could be significant, we believe that it is right that a detailed and thorough examination should be undertaken by the IPC, just as it would do for a new application for infrastructure.

Mr. David Jones: As we have heard from the Under-Secretary, these amendments provide a framework for the change of and revocation of orders granting development consent. The IPC, or the Secretary of State if they are the decision-maker, may make a change to a development consent order, if they are satisfied that the change is not material. As we have heard, the application for a change to the order may only be exercised on an application by the original applicant or his successor in title, a person with an interest in the land or any other person for whose benefit the development consent has effect. In the case of an application by someone with an interest in only part of the land, the order may be made in respect of so much of the original land as is affected by the order.

The new schedule also contains a power for the appropriate authority to amend or revoke a development consent order, if that authority is satisfied that the order contains a significant error and it would not be appropriate for the error to be corrected by means of the power to which I have just referred. I would be grateful if the Minister could indicate the sort of circumstances in which it would not be appropriate for the error to be corrected by means of the exercise of that earlier power, because although the power may be exercised on an application made by the applicant or his successor in title, it may also be exercised, as we have heard, on an application by any other person with an "interest in the land" or

"any other person for whose benefit the development consent order has effect."

Thus, this is potentially a draconian power, which could cause enormous loss to the applicant or to the promoter of the project.

As far as I can tell, no provisions are contained in new schedule 4 for representations to be made by any person who may be aggrieved by the revocation of the order. It might be that those will be made pursuant to regulations that will be made when the Bill is enacted, but I would be grateful if the Minister were to confirm that in such a circumstance provisions would be made for representations to be made by a person who is aggrieved or who could be aggrieved by the making of such an order.

The Secretary of State or the commission, whoever is the decision maker, may also change or revoke the order on its own motion if satisfied that the developments, if carried out, would contravene community law. The potentially draconian nature of the power is made clear in paragraph 5, which includes a power

"to require the removal or alteration of buildings"

or

"discontinuance of a use of land".

We are talking about projects of major national infrastructure, so it is possible, and indeed likely, that the downsides of any revocation of such an order will be enormously expensive.

Paragraph 6(5) provides that the Secretary of State may make regulations about

"the assessment of compensation payable under this paragraph."

Paragraph 6(1)(c) provides that the loss or damage in question must be "directly attributable" to the change or revocation. Does that refer to pure economic loss, or would other sorts of losses be the subject of compensation? Furthermore, what of loss that is not directly attributable to the change or revocation? I assume from what the Minister has said that such indirect loss would not be the subject of compensation, but it may be difficult to ascertain whether a loss is directly or indirectly attributable. Will the regulations that are to be made make provisions that will be of assistance with regard to disputes that may arise in connection with determining whether a loss is, for the purposes of the Bill, to be regarded as direct or indirect?

Given that that question is of such great significance, it is perhaps surprising that these provisions have only recently been introduced into the Bill. For the reasons that I have just outlined, I am by no means convinced that the procedure that has been set up is entirely watertight, and I look forward to the Minister's response to the points that I have raised.

Dan Rogerson: In the debate on an earlier group of new clauses and amendments, the hon. Member for Hayes and Harlington (John McDonnell) referred to the ability of his constituents to sniff out conspiracy. The Minister is trying to persuade the House that these provisions relate more to cock-up than to conspiracy. As with all legislation, we must examine how they

[Dan Rogerson]

might be interpreted not only by those who are advancing the Bill, but by those who may have the opportunity to use the provisions at a future time. I therefore share the concerns raised by the hon. Member for Clwyd, West (Mr. Jones) about whether or not the provisions are drafted tightly enough to ensure that whatever decisions the IPC takes on development consents cannot then be rewritten quite quickly, given that that might have far-reaching consequences for those involved.

Given that I suspect that the number of applications that the IPC will have to deal with will grow beyond the annual number to which we have been told it will grow, and given that we have been discussing the increasing complexity of the things in which the IPC will have to become expert, this matter again highlights that there is a great deal of potential for all those sorts of mistakes to be made. I can see why the Government feel it necessary to introduce this provision, but it does not inspire a great deal of confidence in the whole process.

Mr. Clifton-Brown: It is hard to understand why the Planning Bill, having gone through all its procedures thus far, has had a hugely important new schedule incorporated into it at this late stage. The new schedule has far-reaching effects. I cannot think of another Bill containing provisions to correct errors in the way in which this one does. Normally, such significant changes or such significant powers would be available only to a court, but the IPC would be able to say to a promoter, " Sorry chaps, we got it wrong, and we will correct it now" or, "No, you have to go through the whole thing again." Under this new schedule, it would depend on a whim as to whether or not the IPC would require the promoter to go through the whole process again. The decision would be arbitrary, which is extraordinary.

I would be grateful if the Minister could give us some indication of the Government's thinking as to how the provision came about. In what circumstances would he expect the IPC or the Secretary of State making the order to be able to modify that order, and to what scale would that be possible? How serious would the circumstances need to be for the order to be revoked altogether and for the poor old promoter, who would probably have spent many years and many thousands of pounds—probably hundreds of thousands of pounds, or perhaps even millions of pounds—on the project, to have to go through the whole process again. This very serious matter would normally, under other Acts of Parliament, be considered by the courts, so I am not sure why it is being delegated to the IPC or to the Secretary of State.

Mr. Llwyd: I shall take a slightly different tack. I anticipate legal challenges regarding paragraph (1) to new schedule 2, which deals with the correction of errors in development consent decisions, in paragraph 2(1) to new schedule 4, which deals with changes to, and the revocation of, orders granting development and so on, and paragraph 3(1) to new schedule 4, which deals with changes to, and the revocation of, orders granting development consent. I cannot understand why the Government cannot find a means of making those corrections without having to put people to the expense of going to court. The last thing that I want is to do my learned friends out of jobs, but should the Bill say that it has to proceed all three cases by way of judicial review, which is a very expensive and often time-consuming process? Why could we not think of some other forum for correcting these cases?

Let us consider the example of the Commons Registration Act 1965, under which a commission was set up. It was normally chaired by a lawyer; people could apply locally to have discussions of this kind determined once and for all; and matters would proceed to the High Court only if the commissioner had misdirected himself or herself or had in some way fallen foul of the 1965 Act. It was a less time-consuming and less expensive procedure, and something along those lines may well lend itself to this part of the Bill. I had not prepared anything on this part of the Bill until now, but I was struck by the fact that the Bill imposes a duty on an individual always to go for judicial review, which, as I have said, is onerous and expensive. Between now and when the Bill finishes its passage through Lords, perhaps the Government will consider another forum, as that might be cheaper, quicker and perhaps more accessible.

Mr. Dhanda: The clock may be against us, so I shall write to hon. Members with assurances if I cannot answer their questions. In many respects, these are amendments of last resort. We do not want to see clerical mistakes, but when they occur it is right and proper that we have a system in place for changes to be made with a minimum of consequential problems, so that projects can be completed as quickly as possible—

It being half past Seven o'clock, MADAM DEPUTY SPEAKER *put forthwith the Question already proposed from the Chair, pursuant to Order [this day].*

Clause read a Second time, and added to the Bill.

MADAM DEPUTY SPEAKER *then proceeded to put forthwith the Questions necessary for the disposal of the business to be concluded at that hour.*

New Clause 25

CHANGES TO, AND REVOCATION OF, ORDERS GRANTING DEVELOPMENT CONSENT

'Schedule [*Changes to, and revocation of, orders granting development consent*] (changes to, and revocation of, orders granting development consent) has effect.'.—*[Mr. Dhanda.]*

Brought up, read the First time, and added to the Bill.

Clause 108

LEGAL CHALLENGES RELATING TO APPLICATIONS FOR ORDERS GRANTING DEVELOPMENT CONSENT

Amendment made: No. 113, in page 55, line 23, at end insert—

'(3A) A court may entertain proceedings for questioning a decision under paragraph 1 of Schedule [Correction of errors in development consent decisions] in relation to an error or omission in a decision document only if—

(a) the proceedings are brought by a claim for judicial review, and

(b) the claim form is filed during the period of 6 weeks beginning with the day on which a correction notice in respect of the error or omission is issued under paragraph 2 of that Schedule.

(3B) A court may entertain proceedings for questioning a decision under paragraph 2(1) of Schedule [Changes to, and revocation of, orders granting development consent] to make a change to an order granting development consent only if—

(a) the proceedings are brought by a claim for judicial review, and

(b) the claim form is filed during the period of 6 weeks beginning with the day on which notice of the change is given under paragraph 2(7)(b) of that Schedule.

(3C) A court may entertain proceedings for questioning a decision under paragraph 3(1) of Schedule [Changes to, and revocation of, orders granting development consent] to make a change to, or revoke, an order granting development consent only if—

(a) the proceedings are brought by a claim for judicial review, and

(b) the claim form is filed during the period of 6 weeks beginning with the day on which notice of the change or revocation is given under paragraph 4(5) of that Schedule.'.—*[Mr. Dhanda.]*

Clause 134

BREACH OF TERMS OF ORDER GRANTING DEVELOPMENT CONSENT

Amendment made: No. 166, in page 68, line 25, at end insert—

'(1B) It is a defence for a person charged with an offence under this section to prove that—

(a) the breach or failure to comply occurred only because of an error or omission in the order, and

(b) a correction notice specifying the correction of the error or omission has been issued under paragraph 2 of Schedule [Correction of errors in development consent decisions].'.—*[Mr. Dhanda.]*

Clause 190

ORDERS AND REGULATIONS

Amendment made: No. 246, in page 116, line 40, at end insert—

'(aa) a power to make changes to, or revoke, an order granting development consent;'.—*[Mr. Dhanda.]*

New Clause 8

PARLIAMENTARY REQUIREMENTS

'(1) This section sets out the parliamentary requirements referred to in sections 5(4) and 6(4).

(2) The Secretary of State must lay the proposal before Parliament.

(3) In this section "the proposal" means—

(a) the statement that the Secretary of State proposes to designate as a national policy statement for the purposes of this Act, or

(b) (as the case may be) the proposed amendment.

(4) Subsection (5) applies if, during the relevant period—

(a) either House of Parliament makes a resolution with regard to the proposal, or

(b) a committee of the House of Commons makes recommendations with regard to the proposal.

(5) The Secretary of State must lay before Parliament a statement setting out the Secretary of State's response to the resolution or recommendations.

(6) The relevant period is the period specified by the Secretary of State in relation to the proposal.

(7) The Secretary of State must specify the relevant period in relation to the proposal on or before the day on which the proposal is laid before Parliament under subsection (2).'.—*[John Healey.]*

Brought up, and read the First time.

John Healey: I beg to move, That the clause be read a Second time.

Madam Deputy Speaker: With this it will be convenient to discuss the following:

Amendment (a) to the proposed new clause, in subsection (2) at end insert

'once the consultation and publicity requirements detailed in section 7 have been complied with'.

New clause 1—*Climate change*—

'(1) A statement may only be designated under section 5 if the Secretary of State is satisfied that (taken as a whole) the policies in the statement contribute to the mitigation of, and adaptation to, climate change.

(2) A statement designated under section 5 must contain a statement to the effect that it is the Secretary of State's view that the requirement of subsection (1) is satisfied.'.

Amendment No. 52, in clause 5, page 3, line 6, leave out 'and'.

Amendment No. 53, page 3, line 8, at end insert ', and

(c) has been approved by both Houses of Parliament.'.

Government amendments Nos. 72 to 75.

Amendment No. 3, in clause 7, page 4, line 27, at end insert—

'(4A) The Secretary of State must consult with such organisations as appear to the Secretary of State to be able to advise appropriately on the risks to health arising from the policy set out in the national policy statement.'.

Amendment No. 54, in clause 9, page 5, line 16, at end insert

', including the reduction of and adaptation to climate change'.

Amendment No. 67, in page 5, line 32, leave out Clause 11.

Government amendment No. 76

Government new clause 35—*Application to Parliament.*

Amendment No. 1, in clause 97, page 49, line 26, at end insert—

'(d) the desirability of contributing to the mitigation of, and adaptation to, climate change.'.

Government amendments Nos. 184 and 185.

John Healey: A substantial amount of time was set aside in the programme motion for the discussion of this group of amendments, which deals with issues relating to national policy statements, Parliament and climate change. I shall set the scene for hon. Members, which I hope will be helpful, as the group covers a lot of ground.

Government new clause 8 and consequential amendments Nos. 72 to 76 would provide for a parliamentary process for the scrutiny of new national policy statements. Amendment (a), tabled by my hon. Friend the Member for Sheffield, Attercliffe (Mr. Betts),

[John Healey]

would change the time sequence in new clause 8, and amendments Nos. 52 and 53 would require both Houses to approve national policy statements before they could be designated.

Government new clause 35 applies this Bill to Parliament. New clause 1 and amendment No. 54 seek to add a duty on the Secretary of State to address climate change when designating or reviewing a national policy statement, and amendment No. 1 seeks to add a duty on the infrastructure planning commission to have regard to climate change. Amendment No. 3 would require consultation with organisations to seek advice on the risks to health arising from the policy in national policy statements, and amendment No. 67 would remove clause 11 and thereby the provision to designate pre-existing statements of policy as national policy statements. Finally, Government amendments Nos. 184 and 185 deal with the issue of blight in relation to national policy statements.

National policy statements are an important innovation and the foundation of the proposed new system. The Secretary of State would produce national policy statements for strategic development of essential infrastructure investment to ensure that there was a clear, strong policy framework for decisions on nationally significant infrastructure projects. They would help to ensure a national debate about, and conclusions on, the infrastructure that the country needs. They would provide the primary framework for the IPC's consideration of applications for individual projects for energy, transport, water, waste water or waste infrastructure. They would set the complete policy framework relevant to decision making, integrating all the important and relevant environmental, social and other aspects of policy.

The commission would not be able to take decisions on a project unless there was a relevant national policy statement designated and in place. NPSs will be important, serious and significant documents. They will therefore undergo an appraisal of their sustainability, will be subject to public consultation and will be scrutinised by Parliament, to ensure that all elements of the policy are appropriate. The IPC will then base its consideration and decisions on the policy set out in the NPS, weighed against domestic and European law, and the possibility or evidence of any adverse impacts on local areas as a result of the application going ahead.

The exact form of national policy statements would vary by sector. The Bill makes it clear that some existing policy statements could become, or serve as, the basis for national policy statements, but only if they meet the standards set out in the Bill for national policy statements. Those standards include a proper appraisal of sustainability, proper public consultation and proper parliamentary scrutiny.

Government new clause 8 and consequential amendments are among the most significant amendments tabled on Report. They provide for a new system of parliamentary scrutiny of national policy statements, which we see as the cornerstone of our new system. When the Bill was first introduced, we made a commitment to ensuring a stronger role for Parliament. We encouraged the House to consider setting up a Select Committee as part of that process, and suggested that it might be drawn from the expertise of the four relevant departmental Committees—the Business, Enterprise and Regulatory Reform Committee, the Transport Committee, the Communities and Local Government Committee and the Environment, Food and Rural Affairs Committee. We suggested that it could scrutinise draft NPSs in parallel with public consultation. We undertook that a Secretary of State would consider the Committee's reports together with responses from the public consultation and would revise draft NPSs before designating them. In addition, if the Committee recommended that an NPS raised issues that should be debated by Parliament, we would make Government time available for such debate before the designation of an NPS.

I recognise, of course, that it is ultimately for the House itself to decide what procedures are appropriate for each NPS. These procedures will need to respect the demands on the time of Members and the House. However, they will need three hallmarks to be successful. First, they will need to be sufficiently flexible to deal with both new NPSs and future amendments to existing NPSs. Secondly, they will need to be timely, without undue delay in establishing NPSs as the Government's strategic framework for nationally significant infrastructure. Thirdly, they will need to be proportionate to the issues raised. It is conceivable, for example, that a future amendment to an NPS may be relatively limited, and we therefore need a system that can respond to that.

I have had constructive and detailed discussions with the Chairs of the four Committees that I mentioned, and I pay tribute to them. Their Clerks have also provided significant and valuable advice. I have also ensured that we have kept in touch with other Committees, such as the Welsh Affairs Committee, through the Liaison Committee, to explore the potential for a process that will meet the proper role of this House in subjecting these policy statements to sufficient scrutiny. We have had three meetings, helpfully hosted by the Leader of the House, that have taken us a long way towards finding an approach that is workable and effective. I am grateful to those involved and to the House authorities for the time, consideration and expertise that they have devoted to that process.

Together with the Chairs of the Select Committees, we have developed a possible process for Committee examination of national policy statements. Examination would be by either one of the relevant existing departmental Select Committees or a single new Committee drawn from their membership and expertise. That decision would be a matter for the Select Committees, via the Liaison Committee, and not for Government. The Committee would examine the draft national policy statement, largely parallel to public consultation, but there would be a period after the closure of the public consultation in which the Committee could take into account any significant issues that had been raised during that consultation. The Government have undertaken to ensure that briefing and information on those issues is made available immediately to the Select Committees, so that that they can do that. The Committee would then report with recommendations to the Secretary of State—

Peter Luff (Mid-Worcestershire) (Con): The House.

John Healey: In fact, the Secretary of State would look to that report, which would formally be a report to the House, of course, and would make time available, if necessary, for debate, if the Committee recommended it.

We propose that the Government would then consider what change was needed to the draft national policy statement in the light of the views expressed in this House and in the public consultation, and we would then revise the draft as appropriate and as necessary.

Mr. Clive Betts (Sheffield, Attercliffe) (Lab): The point that my hon. Friend is making relates to my amendment (a) to new clause 8, in which I suggest that parliamentary scrutiny should come after the period of public consultation. My hon. Friend is now apparently saying that there would be an overlap period, and that time would be available after public consultation when the appropriate Committee in the House would be allowed to consider the results of that consultation before concluding its report on the policy statement. Can he give us some idea of the likely time periods involved in the process? They might not be firmed up at present, but it would be useful to have some indication of his thinking at this stage.

John Healey: I have discussed with the Select Committee Chairs—we have not formalised or finalised the proposal—an overhang or continuation period of perhaps four to six weeks to enable the Select Committee to take any additional account that might be necessary of the significant issues raised during the public consultation in its inquiry into and examination and scrutiny of the Government's proposals.

We considered the proposal for an entirely sequential process, but two factors determined our view that the other approach would be better. First, we did not want to extend the period in which the national policy statements would be put in place for any longer than was necessary. Secondly, as a Government we want to be able to make any substantial revisions that might be required to a national policy statement in the light of the views of the public and Parliament and of any assessment of the sustainability appraisal that might be required. In other words, we want to bring all the relevant matters, observations and views from Parliament and public consultation together in one revision, rather than having to revise the statement at least twice, as would be the case if we had an entirely sequential process. I hope that the further information that I have been able to share with the House and with my hon. Friend the Member for Sheffield, Attercliffe may persuade him that amendment (a) is not necessary at this point, but that its aim can be achieved. The Select Committee Chairs are confident that it can be achieved, too.

7.45 pm

We also gave careful consideration to whether Parliament should be required or should have the opportunity formally to approve a national policy statement by a binding vote. The proposal is before us under the amendments tabled by the official Opposition, which propose a binding vote for both Houses to approve a national policy statement, although everyone, as far as I can tell—including the Opposition and the Select Committee Chairs—was talking about a non-amendable motion and therefore a vote to approve or not to approve the policy statement. Amendments Nos. 52 and 53 would have that effect by amending clause 5, which would mean that the Secretary of State could designate a national policy statement only if it had been approved by both Houses.

Peter Luff: Although I am personally sorry that Parliament has not been given the chance to vote on the national policy statements, I am very grateful to the Minister and the Leader of the House for the sympathetic way in which they treated the Select Committees' concerns. New clause 8 certainly represents a great step forward, which we welcome, although we would like the vote on national policy statements.

May I ask the Minister one specific question of some importance? Am I right to believe that new clause 35 is simply intended to apply planning law to Parliament and is not intended to set aside article 9 of the Bill of Rights or to allow the courts to evaluate the Select Committee reports or resolutions of the House provided for in new clause 8? Those are very important matters for the privilege of this House.

John Healey: The hon. Gentleman is right. That new clause has nothing to do with parliamentary procedure, the scrutiny of national policy statements or constitutional matters. It simply deals with the situation in which a potentially nationally significant infrastructure project might relate to parliamentary land. It is akin to the provisions in the Bill for Crown land. Next Monday, we are set to discuss those provisions, including the safeguards that will be in place. It might be better to pick up the matter at that point. I can give the hon. Gentleman the reassurance that he has requested.

Let me return to whether there is a case for national policy statements to be approved by both Houses. In the end, we took the view that although national policy statements were important documents that would form the basis of decisions by the new infrastructure planning commission, they are ultimately documents that set out the Government's policy. They are not primary or secondary legislation. It is generally the case in this House that Government decide policy and Parliament scrutinises it as appropriate.

Given that the policy statements are policy documents, they are closer to planning policy statements or super-White Papers, which are not subject to parliamentary approval, than to legislation, which is. I have to say to the hon. Member for Beckenham (Mrs. Lait), who will try to make the case for amendments Nos. 52 and 53, that I do not see a ready-made model or suitable precedent for a binding vote on such statements of policy. Unlike with legislation, we could be taken into unprecedented and problematic territory if the two Houses were to take a different view of the policy that might be contained in a national policy statement.

Mr. Llwyd: I am listening carefully to the Minister, and want just to put one point to him. The policy, as he refers to it, is obviously created by Government. It then becomes, I suppose, planning policy guidance, which is not legislation but has the force of law and is as far-reaching as any piece of legislation that we could devise in this place. Planning policy guidance decides whether a planning development goes forward or not, with all the consequences of either decision. Although he is saying that they should not come before Parliament, my point is that the policy statements are very far-reaching indeed.

John Healey: The hon. Gentleman is right, and that is precisely why we propose the new system in the Bill for the proper scrutiny of such national policy statements. However, they are policy statements, not legislation. Although they may be more akin to planning policy statements, we are proposing a formal system that is rooted in the House and assured in a way that we do not currently have for planning policy statements.

Let me spell out the provisions. The new clause will require the Secretary of State to lay before Parliament a draft national policy statement or an amendment of a policy statement and, subsequently, to lay before Parliament a statement that sets out the Government's response to any resolution of either House or any recommendation of the Committee of the House of Commons about the proposals in the national policy statement, and to do so within a relevant period. It will require the Secretary of State to lay before Parliament the final national policy statement.

The new clause recognises the interest of both Houses in such issues. It will formalise both the Secretary of State's relationship with both Houses and the Secretary of State's response to them. However, it also specifically recognises the nature and expertise of the departmental Select Committees in this House, rather than the other place.

Government amendments Nos. 72 and 76 will make consequential changes. They specify that a new national policy statement that has been reviewed or amended cannot be designated unless the parliamentary requirements set out in the Bill have been met and that the final national policy statement or amended NPS must be laid before Parliament.

Government amendment No. 76 will amend clause 11, which deals with the designation of policy statements made before the commencement of the Act, and clarifies that when deciding whether to designate a policy statement as an NPS, the Secretary of State can take account of the parliamentary scrutiny that was previously undertaken in relation to the statement to determine whether it meets the standards laid down by the Act.

Before hon. Members, including some of my hon. Friends, see a conspiracy, let me say that, essentially, the pre-commencement provision is principally designed to deal with a situation in which a Secretary of State might want to get on with the process of publishing a draft national policy statement, perhaps on renewal energy, in advance of the formal commencement of the Act. As I have made clear before, any national policy statement could be designated only if the specific requirements for the appraisal of sustainability, for the public consultation and for parliamentary scrutiny were all fully met. However, the provision could allow the process to start before the formal commencement of the Act.

John McDonnell: The practical example that Ministers gave when we debated this matter in January was the aviation White Paper being converted into a national policy statement. Will the Minister clarify whether in his view the process by which the aviation White Paper was developed and the subsequent period that has elapsed mean that it would meet the requirements of the legislation to be converted into a national policy statement?

John Healey: My hon. Friend's concern about the aviation White Paper fits into a different category. The White Paper went through consultation in 2003. If that were to be the basis of a national policy statement in the future, that potential NPS would have to meet the three criteria that we have set out in the Bill and that I have explained to the House today. The appropriate time at which that may be considered is likely to be some time between 2009 and 2011, when we have undertaken to review the aviation White Paper. However, unless and until there is a national policy statement on aviation, the operation of the IPC in relation to any application for significant airport development that meets the thresholds in the Bill could not come into play. I hope that that helps to reassure my hon. Friend and that it underlines the fact that the pre-commencement provisions relate principally to the situation that I described earlier, rather than to his concern about the aviation White Paper or indeed, arguably, to the consideration of something like the waste strategy, which has been published already and could conceivably become the basis of a national policy statement on waste.

John McDonnell: I am sorry to press the Minister for absolute clarity. In his response, does he mean that any development that involves aviation expansion could not be considered by the IPC on the basis of the aviation White Paper but would have to wait until the national policy statement was developed, or is he saying that the IPC could consider any expansion proposal on the basis of the aviation White Paper because no NPS is in place?

John Healey: No, the IPC could consider an application for a major development in the aviation field only if a national policy statement was in place. Unless and until an aviation national policy statement is in place, the IPC could not operate under the terms of the new system.

John McDonnell: I am sorry to press the Minister again. I therefore return to the original question: does the process by which the aviation White Paper was arrived at satisfy the requirements set out in the Bill for its immediate conversion into a national policy statement?

John Healey: That would have to be a judgment that was taken, but we are setting out in the Bill three very clear conditions, including on parliamentary scrutiny, which has not been in place before. That may therefore imply an answer to my hon. Friend's question. Any view of making the aviation White Paper the basis of a national policy statement on aviation would mean that that proposed national policy statement would have to be produced and undergo the parliamentary scrutiny process, which we have set out and which I have explained, as well as the processes for public consultation and for a tough appraisal of its sustainability. Only if it meets the criteria in those three respects could it then become designated as a national policy statement.

John McDonnell *rose—*

John Healey: My hon. Friend has had three goes. There are a number of other issues, and number of other hon. Members are keen to make their own points in the debate, but I will give way one more time.

John McDonnell: I just want to make this explicit: the aviation White Paper did not come with a sustainability appraisal or parliamentary scrutiny. Therefore, it could not be converted into a national policy statement and the IPC could not consider an application for aviation expansion on that basis.

John Healey: My hon. Friend draws his very clear conclusions from the very clear explanation that I have set out for the House.

Peter Luff: I am most grateful to the Minister for giving way yet again, and I genuinely intend to be helpful. Surely, any such restatement of the White Paper as a national policy statement would require the full process of scrutiny, so there is not a real issue.

John Healey: In a rather shorter way, the hon. Gentleman says exactly what I was trying to say.

Mr. Clifton-Brown: The Minister has made it quite clear that the IPC cannot operate in the absence of a policy statement on a submission or application. Will he therefore say when he thinks that the first of those policy statements will be rolled out, bearing in mind that the Select Committees involved will have a considerable amount of work to do, because the first scrutiny is likely to be the most time-consuming? When are the first national policy statements likely to be rolled out, and when will the IPC be in a position to operate?

8 pm

John Healey: I would expect the first draft national policy statements to be produced and proposed by Secretaries of State this year. It is therefore necessary to put in place the pre-commencement provisions that I have mentioned.

In case my hon. Friend the Member for Hayes and Harlington (John McDonnell) feels that I have not gone the whole hog, let me explain that my job as the midhusband of the Bill is to produce a new system for dealing with large planning projects. That system will be based on new national policy statements. I have explained the criteria that must be met, and the processes that have to be undergone, for national policy statements to be put in place.

In the end, it is not for me to judge or decide whether a policy paper has undergone those processes; that is the responsibility and a matter for the judgment of the relevant Secretary of State, and they will have to explain the view that they take. If, in their judgment, there has not been the sustainability appraisal, parliamentary scrutiny or public consultation that national policy statements require under the Bill, it is their responsibility to put in place measures to ensure that that is changed. If no national policy statement is formally designated and in place, the IPC cannot decide on a major application. It could examine the application, but it would be for the Secretary of State to make the decisions on the application, as is the case now. I hope that my hon. Friend is satisfied with that; I have to say that I do not feel that I can go much further on that point.

Together, the new clause and the amendments in the group fulfil our commitment to provide for parliamentary scrutiny. They take the significant step of setting that out in legislation. That was done with the encouragement of the Select Committee Chairmen, who were keen for us to do it. I hope that the House will agree that the provisions set out significant, innovative arrangements for parliamentary scrutiny, and ensure that Parliament has a strong say, and a strong influence, on any future national policy statement. I hope that at the end of the debate, in light of what has been said, the hon. Member for Beckenham will not feel it necessary to press her amendments to a Division.

I shall now speak rather more briefly, because I recognise the level of the House's interest in the issues covered by this group of amendments. Through amendments Nos. 184 and 185, we have introduced provisions to deal with the blight that could be produced by a national policy statement, a proposed major project application or an order granting authorisation for compulsory purchase. Those are important provisions that give protection to people who may be affected.

New clause 1 and amendment No. 54 seek to give the Secretary of State a specific duty to consider climate change when designating or reviewing national policy statements. Amendment No. 1 would add climate change as a factor in the decision-making framework for the IPC, which makes the decisions. I hope that Members recognise that since the publication of the Bill, there has been development of the position set out in the White Paper.

Our objectives in relation to sustainable development are central to the consideration of future infrastructure needs. That is clearly sensible and necessary for the future of the country, whatever the infrastructure that we are talking about. That is why the Bill includes a duty on the Secretary of State to ensure that national policy statements are drawn up with the objective of contributing to sustainable development. That is why national policy statements will have to be consistent with all relevant European Union law, including the habitats directive, and domestic law, including the Climate Change Bill, which will place tough duties on the Government to tackle the issues of climate change. That is why, before designating a national policy statement, Ministers must carry out an appraisal of their sustainability. The process will also apply to revisions of national policy statements, where the policy is materially affected.

Where the EU strategic environmental assessment directive applies, we will carry out an appraisal of sustainability that will cover all the obligations in the directive, but that directive may not apply to some national policy statements, so it is necessary to have a strong assessment framework that will apply to all statements to ensure that environmental objectives in particular, and also social and economic objectives, are properly factored into the development. That is the principle, purpose and thinking behind our approach.

The planning White Paper included a policy commitment to consider climate change when national policy statements are being developed, and we have delivered on that by requiring an appraisal of sustainability for every national policy statement, in which climate change will be considered. The new regime will also be subject to the provisions of the Climate Change Bill, when they are finally settled and put into statute. That Bill imposes a general duty on Ministers to meet carbon budgets, and to publish

[John Healey]

proposals and policies for meeting them. The Climate Change Bill will put strong measures in place, and strong duties on Government, to tackle climate change, and I would therefore argue that it is not appropriate or necessary to place a specific duty of that sort on the Secretary of State in the Bill, particularly not before the Climate Change Bill's provisions are made clear and passed by the House.

On amendment No. 1, as I have said, the issue of climate change is dealt with in the requirement to prepare an appraisal of sustainability for national policy statements. That appraisal will be published alongside a draft national policy statement. That will be part of the public consultation that any national policy statement will have to undergo, and part of the parliamentary scrutiny of the statement.

The effect of requiring the IPC to make judgments on the issue of climate change will be to increase the scope of its discretion, but it would be more appropriate for the issue to be dealt with thoroughly by the Secretary of State, with consultation in public and scrutiny in Parliament, when preparing and designating the national policy statement. Requiring the IPC to give a view on a specific issue is likely to introduce additional uncertainty into the process, and it could slow down the decision-making process. It is inconsistent with the approach that we are trying to take in the new system.

I hope that I have set out the thinking behind the significant Government amendments and new clauses, and that I have been able to explain our approach on some of the issues on which hon. Friends and Opposition Members have tabled amendments. I look forward to the rest of the debate.

Mrs. Lait: I am grateful to the Minister for being so clear on all the amendments tabled by the Government, by Labour Back Benchers and by the Opposition parties. As he said, national policy statements are one of the core aspects of the Bill. In principle, the official Opposition have no difficulty with the policy on national policy statements. We think it is a positive way forward to try to deal with the crumbling infrastructure that we will probably face when we get into government, and we will get on with it a lot more quickly than the present Government have.

There is agreement across the House that we never want to see again lengthy planning inquiries such as Sizewell and terminal 5—examples that have been given throughout our discussion of the Bill. That is a given. The difficulty arises from the status of national policy statements. The Minister clearly said that he saw them as Government statements. He agreed that they were the equivalent of planning policy guidance. We see them as being so important that they need to be voted on substantively by the House.

That is crucial, because the British public believe in the primacy of Parliament. If Parliament has agreed to a policy, there will be fewer challenges in principle as the statements come into use. The problem with national policy statements being Government statements is that that opens the possibility of extensive judicial review, based on all aspects of the policy statements. Hence, the objective on which we are all agreed—the speeding up decisions on infrastructure—will be frustrated by continual judicial review. That is the core reason why we tabled amendments Nos. 53 and 52 and why I will press them to a Division, if that is appropriate, in due course.

Mr. Betts: I can sympathise with the argument that the House should have a vote on policy statements, but is the hon. Lady really committing a future Conservative Government to giving a veto to a second Chamber, in whatever form it is comprised in due course, over the policy statements that that Government will issue?

Mrs. Lait: I was about to move on to the text of our amendment. I am happy to accept, as the Minister pointed out, that the proposal would be a new and unique way forward, and I was about to congratulate him on the work that he and our Select Committee Chairman have done in developing a form of consideration of national policy statements that meets the Government's criteria. That suggests to me that it is not beyond the ability and skills in the House to create a formula for national policy statements to get full parliamentary approval.

I am happy to admit that our amendment is not as detailed as the hon. Gentleman or the Minister might like, but the key for us is the principle that Parliament should own policy statements. That is the difference between us on the issue, and it is the reason I was less than complimentary about the programme motion. As a result of that, we have less time to deal with one of the more important issues than we had to deal with aspects that were important but uncontroversial.

8.15 pm

I would be grateful if the Minister gave us more answers on new clause 8. Although he set out clearly how he envisages it working and the agreement that has been reached so far with various bodies in the House, I am more than a little confused by new clause 8. We have had contradictory statements about how policy statements should be dealt with. Members who have taken an interest in the Bill will remember that the Secretary of State said on Second Reading on 10 December:

> "If Parliament were to want to vote on those issues, that will be the right and proper course to take."—*[Official Report*, 10 December 2007; Vol. 469, c. 30.]

That is clear and it seems to chime with what we are suggesting. However, in the evidence sessions the Minister spoke mainly about scrutiny. On 10 January, in the first evidence-giving session, he said that

> "that Select Committee, or the arrangements that Parliament puts in place, will have the scope, as closely as they wish and in the manner that they wish, to scrutinise and comment on the proposals, and we will then take them into consideration".—*[Official Report, Planning Public Bill Committee*, 10 January 2008; c. 138.]

We had similar statements from him when we were debating clause 5 in Committee. He said that

> "the Government will consider any reports or observations that such a Committee or such scrutiny provides together with the responses".—*[Official Report, Planning Public Bill Committee*, 17 January 2008; c. 251.]

There is a contradiction between what the Secretary of State said on Second Reading and what the Minister said in Committee. The hon. Member for Sheffield, Attercliffe (Mr. Betts) may well remember that when he moved an amendment in Committee very similar to the one that we had tabled, he withdrew it and I immediately took it up, because it conveyed the difficulty that we had. I congratulate him on his close and honourable interest in the Bill. We look forward to the debate next Monday.

New clause 8 refers to the situation where

"either House of Parliament makes a resolution with regard to the proposal".

I have not been in the House as long as some Members, but I have been here for 15 or 16 years. To me, a resolution is not a very clear statement. A resolution implies a vote, but does that mean a resolution by a Select Committee, by the Chamber, or by the Quadripartite Select Committee? What precisely does "a resolution" mean in new clause 8? I would be grateful if the Minister clarified that.

The Minister was clear about the form that he is now proposing for consultation. Those who sat through the Committee will remember that we could not establish whether the consultation would take place in parallel or in sequence. The Minister seems to have agreed to a system comprising a little of both. We can have a debate in Government time—but will it be in Westminster Hall, in Select Committee or on the Floor of the House? Will it be a topical debate? What sort of debate will it be? Will it be on the Adjournment, in which case it will provide us with nothing more than the opportunity to make known our points of view, which the Government may or may not take into account? That would mean that Parliament did not own the statement; in my view, however, that is the crucial thing.

I have explained the principle behind my amendment. I am happy to admit that it is not perfect in any way, shape or form. However, I am sure that, with good will, we can work out how to address the issue properly.

I accept that it will be difficult to get a national policy statement through the House. It will be difficult to get it through as a Government statement; it could be difficult to get through Parliament. However, if the British public do not feel that they own those statements—the planning policies that will affect their lives—we will find it more difficult, take a longer time and spend more money in the courts trying to establish the infrastructure that we all agree we desperately need.

I suspect that one of the reasons the Government have set their hearts against the national policy statements being statements of Parliament is that that would immediately blow out of the water their argument about the Secretary of State's conflict of interest when it comes to the infrastructure planning commission, which is the basis of the statements' creation. I shall not go down the route of debating that commission, but I have given what I think is one of the reasons why the Government are so desperate to keep the national policy statements as Government statements.

We have also tabled an amendment on what I took to mean the aviation White Paper. I congratulate the hon. Member for Hayes and Harlington (John McDonnell) and others who have got further than the rest of us in getting clarification on the precise statement in respect of that White Paper. We had that debate in Committee. The status of the aviation policy was not entirely set out in black and white. I will look carefully tomorrow at what the Minister has said, but at this stage I think that we are as close as we will ever get to a statement that the current aviation White Paper will not be regarded as a national planning statement. If I have made a mistake, I apologise. I am sure that the hon. Member for Hayes and Harlington will be the first at the starting gate to ensure that the White Paper meets the criteria.

Some of the national policy statements may be site-specific, hence there will be blight. It is a step forward that compensation should be paid to people affected by the statements. We need a bit more detail, but we are unlikely to get that at this stage; perhaps the other House will be more able to tease out how the system will work.

I tabled our amendments on climate change to ensure that the issue was debated; I also welcome the amendment tabled by the hon. Member for Stroud (Mr. Drew). Again, we had the debate in Committee; the hon. Gentleman may have read the report. I am happy to admit that the use of the phrase "sustainable development" encompasses climate change. However, I tabled the amendments because there is still so much concern that climate change should be included specifically in the Bill that I thought it sensible to explore further what "sustainable development" encompasses in total, and to get assurances from the Minister that climate change was definitely part of it. I will listen with interest to the rest of the debate on the subject, but I am minded not to press the issue because the Minister clearly stated that climate change was included. Their lordships may wish to look at the issue in greater detail, and we would be happy to return to it.

The nub of our objection, as I have said—I will not go on about it at great length again—is that the national policy statement should be a parliamentary, not a Government, statement. That is why I tabled amendments suggesting that it should be approved by both Houses. On that basis, I will press those amendments in due course.

Mr. David Drew (Stroud) (Lab/Co-op): I want to discuss new clause 1 and amendment No. 1, which stand in my name and those of my hon. Friends and other hon. Members. To continue where the hon. Member for Beckenham (Mrs. Lait) left off, it is important that we have this debate, because if we are changing the planning system at this time, we must recognise that climate change is in every part of our life from now on. Given that planning has a huge impact on our future as well as our present, it is somewhat strange that the Government are nervous about bringing forward a duty not only on the Secretary of State but on the IPC, which may have a more indirect impact but could in many respects be more important as regards how it sets the precedent for major developments. If the Government fail in any way to take account of climate change there will be, at best, a lost opportunity.

I thank my hon. Friend the Minister for the time that he has spent with us. I hope that it has been an interesting discourse. We have learned some things on our side of the argument, and I hope that he has learned some things on his side. This is not a debate

[Mr. David Drew]

that sits in isolation. Given that this Government have pushed the boat out in more ways than one with the Climate Change Bill, the Energy Bill and the forthcoming marine Bill, it is disappointing to fall at the last hurdle when some of us wish to push things to a point whereby everybody is clear that the Secretary of State and the IPC, whoever those people may be in future, have an obligation on them to have due regard to climate change. It is even stranger that what central Government are abdicating from is expected from local government. In the local development frameworks, it is writ large that local authorities must have every regard to climate change in terms of how they progress their planning policies.

Mr. Llwyd: I agree with the hon. Gentleman and further reinforce his argument by saying that the Government of Wales Act 2006 placed a duty on the National Assembly for Wales to act in accordance with the principles of sustainable development. If it was good enough for that Bill, it should be good enough for this one.

Mr. Drew: That is an excellent point that is very helpful to my argument. If it is good enough for Wales, it is good enough for England and for our planning policies.

This is not just about joined-up government, with different bits of legislation that need to interact, but joined-up action. If we seriously expect the general public to treat climate change as the overwhelming issue of our time, not writing it into national policy statements across the board seems to be a strange way to go about things. At best, it is a lost opportunity. The Minister put his arguments in such a mellifluous way that some of us could be tempted by them. There was charm and certainly a degree of cleverness in the way in which he induced support that may not have initially been there in relation to other aspects of the Bill.

My problem, which I suspect is shared by those who signed up to new clause 1 and amendment No. 1, is that matters change and people move on. It could be implied that something lies behind the words, in the underlying spirit of the legislation, but when it is taken up in the light of day, people forget about such things. They say, "Well, it wasn't quite like that. If you read the Minister's response to the debate, you find that he didn't necessarily say that climate change should be the overwhelming issue that underwrites all of the national policy statements."

8.30 pm

Mr. Paul Truswell (Pudsey) (Lab): Does my hon. Friend share my concern that while it is obviously appropriate for national policy statements to address climate change, when it comes to the crunch in the individual application, the detail cannot possibly be encompassed in anything as broad as such a statement? The matter must be addressed by the IPC in the robust way suggested by my hon. Friend. The only way to ensure that that happens is to give the IPC responsibility to do so.

Mr. Drew: I agree with that, and I shall deal with amendment No. 1 in a bit more detail in a moment. My hon. Friend is at the crux of subsection (2) of the new clause. Obviously, one change is consequent on the other, but they could have been dealt with as we have debated the changes to the Bill.

I want to pose a particular dilemma. I like the terminology "sustainable development". I was partly responsible for the private Member's Bill that the hon. Member for Ruislip-Northwood (Mr. Hurd) introduced, and we had a lot of debates on what we mean by sustainable development. We might think that the term must include climate change, but there is a danger if climate change is not categorically referred to in the Bill. There is always some clever lawyer somewhere who can define "sustainable development" as not necessarily having to take due account of climate change. That is why some of us feel strongly that such wording should be in the Bill, that there should be a duty placed on the Secretary of State, and subsequently, that the IPC should pay absolute regard to it. That is why we have tabled this new clause and the amendment.

Subsection (2) of the new clause relates to the IPC. In a sense, the matter is consequent on the duty placed on the Secretary of State, because it is sensible that an organisation that is subsidiary to the Secretary of State would also have such a duty placed on it. It is important that we set the context in which that body operates. The IPC may have a degree of scrutiny and accountability to this place through the Secretary of State, but the people chosen to work for it should be independent individuals. If they were all hired guns, who can pretend that the process will be anything other than the Government pushing through whatever they want? There will have to be a system of checks and balances with regard to who serves on the IPC and who deals with particular inquiries. If the body is independent, we must consider the extent to which it is accountable with regard to the way in which climate change is handled. In order to make that process easier, we must make climate change one of its key responsibilities when it carries out its duties, which would help rather than hinder it.

I understand what my hon. Friend the Minister was arguing earlier—at least I think I understand what he was arguing. However, I am not sure that he completely answered the point by categorically stating that there should be duty on the Secretary of State and the IPC to give legitimacy to the process. We want to ensure not only that climate change is writ large in the national policy statements, but that anything worked through as a result of those statements, particularly if it involves the IPC, should be entirely subject to climate change.

That would draw together those three great pieces of legislation, which are historic and which the Government should be proud of passing. However, it seems somewhat strange that the mechanism for pushing through those changes, which could change all our lifestyles, is not quite there. That mechanism is not mentioned categorically, but is entirely dependent upon Ministers, albeit to some extent working with this place and the other place. However, we all know that that is subject to all manner of vagaries. If such a mechanism is not mentioned categorically, some of us fear that the climate change agenda will be diluted and perhaps even forgotten.

That is why I have tabled new clause 1 and the amendments standing in my name. I heard what the hon. Member for Beckenham has said. The Opposition must make their mind up. They have tabled their amendments—we thought that ours were slightly better—but we do not believe that we have a monopoly on wisdom. There has been, I hope, a meeting of minds, because we are trying to get the Bill right. Some of us have been working extensively with non-governmental organisations, which are completely nonplussed by the Government, who, in other ways, have moved extensively and been helpful. Something that could be in place for a decade or longer must be got right.

On the aspect that we are discussing, there is, dare I say, not only no meeting of minds, but questions about why the Government are not prepared to do what we think is the right thing—to state categorically that there should be a duty on the Secretary of State and the IPC to have regard to climate change.

Dan Rogerson: The debate on this group of amendments is the main event this evening. Three elements have emerged from the discussion so far, and I suppose that I, too, should refer to them.

First, we had an interesting exchange about the aviation White Paper and the designation of national policy statements. The hon. Member for Beckenham (Mrs. Lait) has said that she was encouraged by what the Minister said about the conclusion of his debate with the hon. Member for Hayes and Harlington (John McDonnell). However, my recollection is that the Minister said that the matter would be one for the relevant Secretary of State. I do not find that wholly reassuring, because there will be many pressures on the Government, as we all know, to deliver all sorts of things, particularly on aviation.

I hoped that the prompting of the hon. Member for Hayes and Harlington about the different nature of the White Paper and how it relates to what a national policy statement is designed to be would mean that it could not be considered. The Minister was clear that there are criteria by which the Secretary of State must examine a White Paper or any existing guidelines, to determine whether it could function realistically as a national policy statement. That is a huge responsibility to place on the Secretary of State's shoulders, when all the other national policy statements may be considered by another process. I am therefore a little concerned that we are not quite at the stage of being reassured on that point.

Lembit Öpik (Montgomeryshire) (LD): I apologise to the House for joining the debate late, but Virgin Trains has once again done its utmost to prevent me from being here on time.

The climate change issue is so important that even people such as me, who are quite supportive of aviation, believe that aviation and shipping should be included in measures in this Bill and targets on climate change as a whole. Is my hon. Friend aware that there is a concert in the Science museum tomorrow, with me and other MPs, to raise awareness about the Big Ask environmental campaign to try to get shipping and aviation included in the Government's targets?

Dan Rogerson: I must say that I was unaware of that concert, but the whole House and others, through *Hansard* and broadcast media, are now aware of it. I am sure that that will help to promote my hon. Friend's cause. His support of the aviation industry is renowned at a time when it is somewhat discouraging for people to get involved in aviation, especially for him given his past encounters with the ground.

Returning to the requirement for parliamentary scrutiny of national policy statements, I am delighted that we have had some reassurance from the Chairman of one of the relevant Select Committees that the concerns that he and his colleagues have been raising have been taken on board by the Government, and that the process is moving forward in a consensual and considered way.

The amendments tabled by the hon. Member for Beckenham set matters out much more clearly, and would make it well understood that the vital regulations that we have been discussing would receive assent through votes in this House or another place. We debated this matter in Committee, and the Minister clearly separated issues of setting policy, and the need for democratic accountability in that regard, from the decision-making function, to which we return in debates on the IPC. I am concerned that if the democratic oversight and scrutiny of national policy statements is not watertight and evident in a way in which people can appreciate, it will, as the hon. Lady has said, lead people to lose all faith in the whole system.

If decisions are not taken either by a democratically elected local authority or by a Secretary of State who is answerable to the House, but by an unelected quango, at least the policies that it uses to take decisions will be scrutinised very fully and will ultimately have been voted on by the House. I am not, therefore, entirely reassured by the Minister's comments, and I hope that the process that is evolving for scrutiny will prove to be satisfactory, but new clause 8 will not necessarily ensure that that is the case. As I understand it, either a resolution may be passed by either House

> "or...a committee of the House of Commons makes recommendations with regard to the proposal."

That "or" is the problem. We would welcome the in-depth scrutiny of a Select Committee with expertise on the relevant national policy statement, but I hope that other hon. Members would then have the chance to have their say.

The hon. Member for Sheffield, Attercliffe (Mr. Betts) has tabled an amendment to new clause 8. He, quite sensibly, seeks to ensure that all the measures in the Bill that apply to consultation and publicity will be enforced in this regard as well. That is an important provision, and he is right to raise that issue.

I want to discuss whether the Bill, either in its current form or when it has been amended, will be sufficiently explicit on the need to mitigate climate change and to consider adaptations to it. The amendment that was tabled by the hon. Member for Stroud (Mr. Drew), which he discussed in a fair and helpful way, is far clearer on what we hope that national policy statements will have regard to, and on what the IPC will have regard to when taking decisions on individual applications. The Minister has said that he was wary of giving one issue more weight than all the others in regard to any decisions that the IPC would have to make. However, other hon. Members have already pointed out that, if

[Dan Rogerson]

there is to be an overarching issue, this is the one. I must admit that I, too, am somewhat surprised that the Government are being particularly resistant to this provision.

8.45 pm

Sustainable development covers a whole load of very positive things. As a rural MP, I interpret the sustainability of the rural economy as being at the heart of sustainable development. A major project that would bring jobs to the area could be said to be making it sustainable in the long term, in that it would be doing something for the sustainability of the area, even if it did not necessarily have regard to climate change above all else.

New clause 1, which has been tabled by the hon. Member for Stroud and to which I have added my name, would work in tandem with amendment No. 1 in placing climate change at the top of the agenda when a national policy statement is set. The subject would also be on the agenda when the statement came to be interpreted by the commission. Those safeguards would ensure that we had a policy that made a lot more sense and that showed that Members of Parliament were as serious about tackling climate change as we like to suggest. I hope that the Government will listen to these arguments, but if the hon. Gentleman seeks to press the new clause to a vote, as he said that he will, I shall certainly encourage my hon. Friends to support him.

Mr. Betts: I shall confine my comments to the importance of national policy statements, and to how the House is involved in their scrutiny and whether there should be a vote in Parliament to approve them. It is clear from all our debates on the matter that the national policy statements are almost the basis for this legislation. They are absolutely key, and they have support, in principle, across the House.

When an individual planning application is made, a basis of policy should already have been determined by which the application can be judged. That is right in principle; it is also right in terms of process. Clearly, one of the problems with the present system is that each individual planning application involves not only a decision on whether the location in question is the most appropriate for the development, but a debate on whether the development is right per se in regard to policy on transport, or on power and energy, for example. We need to find a better way of determining the policy and considering applications in the light of that policy, so as to shorten the process and ensure that the applications are dealt with more expeditiously, while still being given full consideration.

The way in which policy statements are formulated is absolutely key. In Committee, I think that we were all in a bit of a haze as to how the scrutiny would take place. The Minister was unable to be as clear as he has been today, for obvious reasons. The House is quite rightly jealous of its own methods and procedures for scrutinising anything that the Government propose. It was therefore right that the Minister did not try to commit himself absolutely, although he did give an indication that he would try to reach an agreement on the proper process of scrutiny by the House and on how that would fit in with the overall process of Government scrutiny and consultation on policy statements.

It was interesting to hear the Chairman of the Select Committee on Business, Enterprise and Regulatory Reform, the hon. Member for Mid-Worcestershire (Peter Luff), speaking today to my hon. Friend the Member for Milton Keynes, South-West (Dr. Starkey), the Chairman of the Select Committee on Communities and Local Government. There have been fruitful discussions between the Minister and those Committee Chairmen, who are now generally reassured that the Select Committees will be able to do their job of properly scrutinising the policy statements, and that they will be given adequate time in which to do it.

My amendment (a) to new clause 8 is an attempt to flesh out precisely how that process will work. It also sets out what I would not want to see happening—namely, a situation in which public scrutiny was taking place in parallel with the Select Committee scrutiny, and in which Ministers, faced with potentially contradictory views, could play one off against the other. It is entirely reasonable—I described it as an end-on-end process—for the public scrutiny and public consultation to come first. Then, the Select Committee would have an opportunity to scrutinise the Government proposals, but in the light of what the public had to say.

I accept that what my hon. Friend the Minister has done, in consultation with the Select Committee Chairmen, is reach a compromise. The process will set off and there will be consultation with the public and scrutiny in the House, but then there will be a gap after the public consultation has finished. The results of the consultation can be fed into the Select Committee, which can then take account of them before reaching its final view. That seems to be a reasonable compromise.

I am sure that if, in the end, the four to six weeks do not appear to be satisfactory or enough time in practice, Select Committees will not be slow in coming forward to say to Ministers, "We will need a bit longer on future occasions. It does not really work." There has been a genuine attempt to work through the interaction between the Government process of consultation and scrutiny and the procedures of the House. I am grateful to my hon. Friend for what he is trying to achieve, and what he has achieved, according to what I have heard from two Select Committee Chairmen.

We then come to the issue of whether what the House does should be more than scrutiny and whether we should be allowed a vote on all the policy statements. We had that debate in Committee and the hon. Member for Beckenham (Mrs. Lait) has already reminded me of proposals that I may have moved, if not pushed to the vote. Instinctively, any hon. Member would want the House to play as big a role as possible and to have greater opportunity to hold the Government to account, as well as ultimately to say through a vote whether it approves of a policy statement. Those are incredibly important documents and we should not undervalue them.

There are, however, two real problems. In an intervention, I asked the hon. Lady whether she was really saying that a Conservative Government, if we ever have one, would give up to an unelected second Chamber the right to decide whether their policy statements went through. Would the Conservatives give an unelected second Chamber a right of veto? She can say so today because she is in opposition, but if she ever occupies a seat on the Treasury Bench she will probably come to a slightly different view. Governments tend to do that, do they not? Once people get into power, they do not much like the idea of giving in to a body that is unaccountable.

That brings me to another, quite important point. When my constituents talk about parliamentary accountability, they mean holding me to account because they elect me. They do not mean holding to account some Members of the House of Lords, because they know that that cannot be done. There is a fundamental problem here. In principle, the hon. Lady is right and the House ought to have some ability to take a view on national policy statements, but surely the House should not be put in a position whereby it could find its view on a national policy statement being overridden by the other place, with no right under the Parliament Acts or any other measure for the wishes of this House to take primacy in that argument.

The hon. Lady has to untangle this one because there is a real problem here. Would we in the House seriously vote to set up a situation whereby we could vote for a policy statement only to find that nothing would be agreed because a veto had been given to the other place?

Mrs. Lait: I am most grateful to the hon. Gentleman for giving way. He has provoked me. I had been sitting here thinking, "I am not going to be provoked." He has produced the solution, which of course is the Parliament Acts. They give the House of Commons primacy.

Mr. Betts: I understand that the Parliament Acts operate only on legislation. I may be wrong about that and someone with more experience of these matters could correct me, but these measures are not legislation as such. They are orders and there will be no right to use the Parliament Acts.

Mrs. Lait: I do not want this to turn into a dialogue, but the hon. Gentleman may remember that my comments were along the lines of my accepting that my proposal is not perfect and that a method would have to be found for us to create a new, unique process. Within that, we could build in the Parliament Acts.

Mr. Betts: In due course we may arrive where the hon. Lady would like to be, where I would like to be, and where I suspect Ministers want to be. The essential problem, which she has just identified again, is this. While it is not beyond the wit of man or woman to devise a solution, does she think it possible for us to propose in the Bill—perhaps it is not possible, because it would amount to a fairly fundamental constitutional change—application of the Parliament Act to orders, and establishing an arrangement whereby the process of approval for national policy statements ultimately gives the wishes of this House primacy over those of the other place? Would Members of the other place be likely to vote for a clause to that effect? The answer is that they probably would not, and trying to push the proposal through could delay the passage of the entire Bill.

I believe that the hon. Lady is arguing that when we come to discuss again—in, I hope, the not-too-distant future—the relationship between this House and the other place, we should begin by discussing not how the constitution of the other place should be constructed and who should be a Member of it, but what are the powers of this House in relation to those of the House of Lords, which House has primacy, and whether that primacy applies to orders as well as to legislation. That is an important and interesting argument, but I am not convinced that tacking it on to a clause in the Planning Bill is the solution. If a solution could be found that satisfied the law officers who are advising us, I would probably vote for it, but I suspect that the hon. Lady's amendment does not do that, and I think she accepts that it does not really work in the context in which it probably ought to work. I therefore do not feel that I can support the amendment, although I instinctively share her sentiments.

Mr. Richard Benyon (Newbury) (Con): I wish to speak to my amendment No. 3. The Minister and members of the Committee will recall that I raised the issue of extremely low-frequency electromagnetic fields in Committee. As I said then, the Draper report, funded by the Department of Health and published in 2005, found that children who had lived within 200 m of high-voltage power lines since birth had a 70 per cent. higher risk of developing childhood leukaemia. The Government have received recommendations for action on the issue from the Health Protection Agency, from the Government's own stakeholder group SAGE—the Stakeholder Advisory Group ELF EMF—and from those involved in the cross-party inquiry on childhood leukaemia and EMFs last year.

My hon. Friend the Member for Ruislip-Northwood (Mr. Hurd), who could not be present for the debate, has given a lead. Recently, along with members of Children with Leukaemia, he met the Under-Secretary of State for Communities and Local Government, the hon. Member for Hartlepool (Mr. Wright), who stated—as he has stated elsewhere—that his Department, the Department for Business, Enterprise and Regulatory Reform and the Department of Health were considering proposals for precautionary measures to be introduced this year. Those measures are likely to involve either the issuing of information to the public and planning authorities, or planning controls restricting the building of houses very close to high-voltage power lines.

The Bill provides for the expansion of essential infrastructure, such as high-voltage power lines, and for the fast-tracking of planning approval for such projects. I believe that it should also provide for the introduction of precautionary measures. If the Government introduce planning controls applying to the building of houses and schools near power lines, the IPC must be able to implement planning controls on new power lines near houses and schools.

As we know, for we have debated it at tortuous length, the Bill also provides for the creation of national policy statements on infrastructure. If the Government are not prepared to accept an amendment allowing the IPC to consider EMFs and health concerns in its decision making, I want to receive assurances that high-voltage overhead transmission lines will be the subject of a national policy statement.

[Mr. Richard Benyon]

Amendment No. 3 would simply require the Secretary of State to consult on potential health risks arising from national planning policy during the drafting of national policy statements. I have deliberately left the wording vague. No doubt civil servants advising the Minister have expressed the fear that he may be required to consult all sorts of weird and wonderful organisations that are worried about energy fields and the like. Actually, we leave it to the Secretary of State to designate the organisations that he or she feels are "appropriate" to consult on the risks to health arising from the national policy statement.

Many closely involved with this matter, such as the excellent pressure group Children with Leukaemia, are concerned that the proposed system will allow much less consultation and opportunity for representation from members of the public, as the IPC will be given only six months from the initial meeting to take evidence and another three months to deliberate. The IPC can decide what subjects are relevant to the discussion at the evidence sessions and can explicitly exclude subjects that are deemed to be covered by a national policy statement, which of course could include health.

9 pm

Obviously this is an extremely emotive issue for families and I ask the Minister to consider the implications for families and parents when a new proposed high-voltage power line or large transformer station is to be placed within close reach of housing or a school, as the understanding of the risks involved increases. This is an opportunity to address those concerns and to put a precautionary principle in the Bill. I ask the Minister to share his thoughts and an up-to-date assessment of where these negotiations are going in his Department and the two others that I have mentioned. I ask him also to give some comfort to the House that the Government are taking the matter seriously and are addressing a matter of great concern to a great many people. How he responds will determine how I proceed with the amendment.

John McDonnell: I congratulate my hon. Friend the Member for Stroud (Mr. Drew) on his amendment. As an aside, the proposal is relevant because, within 20 years, we will be on the edge of a tipping point on climate change, which will be potentially irreversible. That is why it behoves us, on every relevant piece of legislation, to emphasise the issue of climate change. That is what the amendment does and, for the life of me, I cannot understand why there is any opposition to it whatever. I welcome the opportunity to vote on it.

I have a number of problems with the Bill, but the one area where I did not have problems—it was mentioned by my hon. Friend the Member for Sheffield, Attercliffe (Mr. Betts)—was the concept of national policy statements. I support them overwhelmingly. I encourage the idea of democratic involvement in the development of a policy statement that then becomes policy, and then advises those making planning decisions. Everyone who has served on a planning committee in the past knows the difficulty of understanding some of the policy diktats that have come from central Government and how they were ever developed, in many instances. This proposal clarifies the process, and I welcome the idea of publishing, publicising and consulting on the statements.

On parliamentary scrutiny, I would prefer sequential involvement—consultation followed by the Committee—but I accept the compromise reached. We will see how it works. I hope that we will have a commitment to a review, which would then be brought back to the House after a period to see whether the system was working effectively. That review should be undertaken by Committee Chairmen but then reported back to the House.

I do not understand why, at the end of the process, the House cannot have a vote. It is constitutional sophistry to say that these are policies and not legislation. We have a vote on a policy statement; it is called the Queen's Speech. There is a precedent. To give these statements credibility, they need the democratic stamp of approval, and what better than a vote of this House? Credibility is important. If these policy statements are driven through this House without a vote, we will find even more protestors on the roof of Parliament trying to exercise their democratic rights to tell us that we are not doing our job.

On the question whether the other place has a veto, if it were up to me we would abolish the other place in the first instance, but that is another debate. However, as long as the other place has a role in the determination of legislation, I see no problem in it having a role in the determination of policy as well. We all know that the Parliament Act is implemented very rarely. The issues are bounced back between us and we eventually arrive at a compromise.

On those points, I wish the debate would move on to examine how we can resolve the issue of the process. I do not understand the provision referring to

> "either House of Parliament makes a resolution with regard to the proposal".

I echo what the hon. Member for Beckenham (Mrs. Lait) says; I do not know what "makes a resolution" means. Does it mean that an early-day motion is tabled? Does it refer to a Committee resolution? Is a negative or affirmative procedure of this House involved? We need clarification on that matter, to assure us that we have some democratic role in its final determination.

Mr. Betts: Does my hon. Friend accept that there is problem? I hope that we could eventually find a way whereby we could resolve any conflict on orders that might arise between this House and the House of Lords, but the legislation process to which he referred is about the two Houses examining how different amendments that are moved in one place and not the other can eventually be reconciled. The problem with these orders is that there is just one vote on them; they are not amendable orders, so there is no process for resolving a situation where one House votes one way and the other House votes the other.

John McDonnell: I accept that, but I still think that the issue of principle can be resolved by negotiation in that sense, and that even if it involves facing down the other House, so be it. I would welcome the opportunity to involve some amendment process in these documents, but that is not being afforded to us in this debate. I regret that that was not raised in more detail in Committee.

I tabled a specific amendment with regard to the adoption of existing policy statements as new policy statements, and I think that we have been given further clarity on that. I used the example of the aviation White Paper because that was the example that the Minister used in January. At that point in time, he was expressing the concern of the House that in some way the aviation White Paper would be bounced overnight—to use his expression—into a national policy statement. Let me put my understanding of what we have heard from the Minister tonight on the record, and if he does not intervene on me, I shall take that as tacit consent. I understand that if any existing policy statement has not satisfied the measures being introduced in this Bill for future policy statements—thorough consultation, a sustainability assessment, parliamentary scrutiny and then some form of resolution of this House, whatever that might be—it cannot therefore be accepted as a policy statement.

The Minister then said that any existing proposal has therefore to be determined under the existing procedures. Let us consider the example of aviation, which I take at random. Such a proposal would thus have to be based on the policies set out in the existing aviation White Paper. If that is the case, may I put on record the fact that the aviation White Paper is considerably out of date now? Many of us believe it was inaccurate when it was published in the first instance. Things have moved on, so any Government would be in jeopardy of considering a decision about the expansion of Heathrow airport—again, I use a random example—on the proposals set out in the aviation White Paper. Given that we know that the issues have moved on and the factors that brought about that White Paper are no longer relevant, it would be unreasonable to take any decision based on that existing policy statement. Therefore, any future decisions about aviation should be based on a national policy statement that starts afresh.

Lembit Öpik: As I have made clear, I am quite a big supporter of aviation. Does the hon. Gentleman agree that Ministers do not really need to be too afraid of the proposal, because they could work in partnership with the aviation sector? It knows very well that the writing is on the wall and that it will have to work to consider the environmental consequences that he is describing in terms of emissions and other considerations. The problem is that as long as the Government refuse to engage with aviation on the environmental agenda, aviation will not feel considerable parliamentary pressure to operate responsibly in this regard.

John McDonnell: That intervention is incredibly helpful; I do not know how the hon. Gentleman will fit that into tomorrow night's concert, but I look forward to hearing the lyrics. *[Interruption.]* I thought that I would get another plug in for him. The essential point that I am trying to make is that this legislation, which I fully and wholeheartedly support with regard to national policy statements, sets a rigorous standard of process for engagement with the wider general public, the various other statutory bodies and the interest groups. A definitive statement on policy will then be arrived at, and the IPC can use it to guide its decisions.

Any process by which we tried to pre-empt that and bounce in an existing statement without due process would undermine the whole system and be open to challenge. We cannot use existing White Papers as a stopgap or to justify major infrastructure decisions because they are so out of date. It would be better to await the development of proper NPSs before any major infrastructure decisions are made. In that way, we would arrive at legitimate decisions that may achieve popular support.

I obviously have concerns about the development of Heathrow, but that is not the only issue. There are genuine concerns across the piece about the development of NPSs from existing statements without due process. I shall list the organisations that have expressed concern about the clause in question, which I have tabled an amendment to delete. Those organisations include the Campaign to Protect Rural England, the Civic Trust, Friends of the Earth, the National Trust, the Ramblers Association, the Woodland Trust, the Campaign for Better Transport, the Wildlife Trust, the Council for National Parks, Plantlife International, the Geoconservation Association, the Enough is Enough organisation, AirportWatch and the Royal Society for the Protection of Birds. I do not know of a greater and wider coalition that has come together on an environmental issue. Those organisations represent millions of our constituents who are anxious about this process. They want to see due process take place and to be involved in the development of NPSs, which would give them credibility.

There is potential for a new planning process based on real engagement, which could build up once again the credibility of planning. It could also meet the Government's criteria for expeditious decision making. On the basis of the assurances that we have been given and the Minister's tacit consent to the statements I have just made about my beliefs about the Government's position, I shall not press my amendment to a vote tonight.

Mr. Llwyd: Following on from what the hon. Member for Hayes and Harlington (John McDonnell) has just said, I wish to refer to an exchange that I had with the Minister in Committee. I referred to clause 11, which states:

> "The Secretary of State may take account of consultation carried out, and publicity arranged, before the commencement day for the purpose of complying with the requirements of section 7",

which address the consultation leading up to the policy document. So that is a worry. It is also apparent that if a statement issued before the commencement is designated as an NPS, the Secretary of State is not bound to take into account the consultation carried out in connection with the statement. Those are contradictory and bad, but could happen under the Bill as it stands. Matters are not as comfortable as the hon. Gentleman seemed to think.

I know that the Minister did his best to explain the position, and I am not being critical of him, but this issue is of great concern. The public have to be involved in the process from the beginning. After all, we are legislating for a brand new system for large-scale developments, and if the system is to stand the test of time the public must feel, and must be, fully involved in the process. It is no use having consultations with all and sundry to the exclusion of those who should have first say.

[Mr. Llwyd]

Let us not kid ourselves: the Bill is designed to hurry through bad neighbour developments of the type listed in clause 13 (a) to (o)—all potentially bad neighbours. The need for public scrutiny is thus higher than ever it was for general planning legislation.

9.15 pm

The point has been well made about the sort of retrospection that might occur if we were to accept previous White Papers as policy statements. I realise, too, that as the Minister said in a reply in Committee it might take up to 18 months to bring forward the national policy statement. We do not necessarily want a lacuna for all that time. I am not absolutely sure what we have to bridge that lacuna, but no doubt the Minister will respond on that point in due course.

The national policy statement is a vital document. Everybody, in all corners of the House, would agree that it is important. In order to ensure that it is given the utmost legitimacy and the full support of the public, the public must be seen to be deeply engaged at all times in its formulation. I am sure that that is a fairly obvious thing to say, but perhaps it needs repeating.

I concur with what the hon. Member for Hayes and Harlington said virtually throughout his speech. I agree with what the hon. Member for Stroud (Mr. Drew), too, has said in his new clause. I cannot understand why new clause 1 is so unacceptable to the Government: as I mentioned before, "sustainable development" were the words used in the Government of Wales Act 2006, and we are talking about a tighter definition of "climate change", as explained by the hon. Gentleman.

Politicians today all talk about climate change and say that it is the biggest threat that we face. It should be uppermost in our minds at all times when we deal with legislation and problems. We must always consider climate change and sustainable development. If we were to accept the new clause, that would be a very positive sign. With respect to the Minister, I do not think that accepting it would hamper anybody. It will not tie anybody's hands—far from it—and it would ensure that we concentrated, as we should, on this major threat to mankind.

As politicians, we often say that the young are disengaged from the political process. In my experience, the young are often not disengaged from the issues of sustainability, climate change and the need for eco-friendly policies. No, they are not; they are probably more attuned than my generation was way back when. I do not know whether such a statement in the Bill would encourage more participation, bring youngsters into the process and make them feel that we are reflecting what is going on out there. We read our newspapers every day—we look at the icebergs melting and at the problems everywhere with pollution, and so on and so forth. It would be a fine thing if we were to accept the new clause, or something similar to it, and put those words in the Bill. It would be a sign that we were serious about what we say about climate change, and that we were not merely playing lip service to it, as some people outside might suspect.

Mr. Clifton-Brown: I might be the last to speak in this debate, so may I congratulate the Government on producing a groundbreaking procedure through the national policy statements? They have been acknowledged as such by Members from both sides of the House. It is good to see the Secretary of State listening to what I think is one of the most important debates that we have had for a long time. I am surprised that there are not more Members present to contribute.

There is no question about the fact that what we are doing today is groundbreaking. The national policy statements will need to be scrutinised by both Houses of Parliament in one way or another. Indeed, it would be folly not to use the expertise in the other place. The Minister needs to think about the parliamentary procedure very carefully. As well as being discussed with the four relevant Select Committees, the matter ought to have been referred to the Procedure Committee because we are making a new parliamentary procedure. The Procedure Committee should have worked out a way forward with the involvement of every Member of this House and of the other House who wished to become involved.

There are lots of issues for the Select Committees to consider. There will be a huge work load. I do not necessarily know whether the Chairmen of the four Select Committees involved have worked out what the work load of producing the national policy statements will be. Even with the Government's help and even with the Government having produced a draft in the first place, the public consultation must then be considered, and expert witnesses must be taken into account as well.

Some while ago in the debate, I should have declared my interest as one of the four chartered surveyors in the House and one who has practised in the planning field. I therefore know the minutiae of the issues involved and how long some inquires can take. If any of the minutiae is translated into what the Select Committees must do, the Committees have got a shock in store as regards the amount of work they are going to have to do. If the system is to work properly, not only must they produce a national policy statement on the subject that they are considering, but they must consider other national policy statements that have been already issued, because all national policy statements must interlock if they are to work properly with the IPC's involvement. There is no separating different transport systems or different energy-producing systems. All infrastructure in this country is ultimately interlocking; what we do with one system has an effect on the others.

There is an immense work load. Yes, of course such things must be done in proper detail. I am open-minded about whether there should be a vote on this matter. I can understand the argument for a vote—it gives democratic legitimacy—but the Secretary of State is the person ultimately responsible to Parliament for how the whole IPC procedure works. Indeed, one of the major problems if Parliament has a vote is that I do not know how that review procedure that the Secretary of State can invoke will work. He would be invoking a review of something that Parliament had already voted on. So my inclination is to say that Parliament should scrutinise such things in great detail with whatever method is come up with, but the Secretary of State should be responsible for producing the national policy statement. That is probably the only way that it will work.

In considering how they will proceed, the Select Committees will need to consider how the private Bill procedure worked in the past. That gives a clue to the amount of work that is involved. Will they allow the promoters to be legally represented, for example? Under the private Bill procedure, that delays the process hugely, because the professionals involved tend to go into much greater and much more technical detail than the laymen involved in the process. The Select Committees will need to look at that very carefully. Of course, those involved will want to streamline the procedure, but if it is too streamlined the legitimacy of the report produced will not be as great as if the matter had been considered in great detail.

The promoters' position must be considered. For example, let us take BAA and this country's airports policy. How will the Select Committees deal with BAA's evidence? What declarations will the companies and individuals involved in the process have to make? Indeed, the members of the Select Committees will need to think about what declarations they make.

We are making groundbreaking rules. The process needs to be expedited, but it must be seen to be legitimate and fair, and as other hon. Members have said the public must have an adequate say in every national policy statement if they are to come out at the end of the process with the legitimacy that they deserve, but that is not the end of the process. In a complicated world things move on very quickly, and I can understand that, at the end of the process, the national policy statements will need to be revised fairly frequently—so the cycle starts all over again. The Secretary of State will have a role in their revision and the IPC can make recommendations on their revision, but Parliament must constantly keep in mind whether its own national policy statement is up to date and still applicable.

The Government still have a little thinking to do on the whole matter. I am sure that the other place, with its acute legal brains, will have a great deal to say on the matter. It is a highly important matter; we need to get it right. I hope that the Government will not rush it. They should put it to the Procedure Committee. We need to think very carefully about the role of both Houses and whether or not we should have a vote and whether the Secretary of State should be the final arbiter in producing the national policy statements.

Mr. Peter Bone (Wellingborough) (Con): I had not planned to speak but, unusually, I disagree with my hon. Friend the Member for Cotswold (Mr. Clifton-Brown). National policy statements are extremely important and will receive a lot of scrutiny. The Lords is best at doing that sort of thing. The idea that the Secretary of State will make the final decision without a vote in both Houses of Parliament seems utterly wrong. I suggest to her that there is a danger that if national policy statements are not subject to scrutiny in the other place and are not voted on there, she will not have won the argument. We are talking about important national policy statements that should command the support of the whole House. I say to the Ministers present, in good faith, that it is not impossible that in a few months they will be sitting on the Opposition Benches and will regret the fact that the other place has not been given more of a say on the matters that we are discussing. As I say, unusually, I disagree with my hon. Friend the Member for Cotswold.

Mr. Clifton-Brown: My hon. Friend is of course fully entitled to his views, and I welcome any disagreement; that is the nature of the House. However, if he proposes that there should be a vote, he will have to say how this House will retain primacy. Somebody has to make an ultimate decision. If he is saying that national policy statements have to be subject to a vote, at the end of the day one or other of the Houses will have to be supreme. I suggest that it must be this House, and there has to be a new mechanism to enable that.

Mr. Bone: I am grateful for my hon. Friend's intervention, but I am afraid that I disagree again. My argument is that the proposal must command the support of both Houses. Whether this House or the other has primacy is another debate. The idea that the other place should not be given a vote because its Members are not elected does not bear scrutiny, because I understand that the Government's policy is to have an elected upper Chamber. However, that is a different issue. If there are to be highly important national policy statements, they must command the widest support. If the Government cannot get their way, they need to revise the policy until it commands widespread support in both Houses. It is therefore important that votes are held at the end of the process. Any system that gives power to the Secretary of State is undemocratic.

John Healey: We have had a serious debate on the serious issues covered by this group of amendments. I pay tribute to the contributions that all Members have made this afternoon. We are breaking new ground in the Bill; we are putting in place a set of reforms and a new system that is opening up new territory for us.

I was particularly struck by the contribution that the hon. Member for Cotswold (Mr. Clifton-Brown) made; it was thoughtful and constructive, and there were points for me, and the Chairs of the Select Committees, to consider. I say to him that the Procedure Committee and the Liaison Committee were brought into discussions, not least because the Select Committee Chairs rightly wanted to consider and consult them. As a Minister, I have taken the view that it is proper for me to have a relationship and discussion with the Select Committee Chairs. It is for them to consult and consider the views of different parts of the House. That is how we have conducted the process to date.

The hon. Gentleman is right that the Select Committees' work load might be significant as a result of national policy statements, particularly over the next year or two, when the bulk of national policy statements will be produced in draft for the first time. That is one of the reasons why, quite early on, I took the view, in response to the Select Committee Chairs' arguments, that they needed flexibility to decide how best to deal with each national policy statement that is produced—whether that should be one of the existing four departmental Committees or whether it should be a combined Committee that draws on the expertise, talent and experience from all four.

9.30 pm

Therefore, as I explained earlier, we have, through the Liaison Committee, left the Select Committee Chairs to take charge of that decision. In the end, we are interested in making sure that the scrutiny is strong and that it helps us produce the best possible national policy statements, but the Select Committee Chairs must take into account the potential pressures on their Committee.

Mr. Clifton-Brown: This has been a very good debate. Whatever our disagreements about having a vote, one thing that has come out of the debate is that we should use the expertise of the other place. In his discussions with the Select Committees, did the Minister discuss how that might be invoked?

John Healey: I have some respect for the other place and for the expertise of its membership, but this House has specific departmental Select Committees with the expertise to scrutinise and hold to account the Departments of Government. The other House has nothing akin to that. The other House may choose to debate and vote on national policy statements in the future. That is why we have said clearly that although we will take into account any resolution of either House, we will take into account the recommendations and reports of Select Committees of this House, giving proper recognition to the special expertise that our departmental Select Committees have, which marks them out from the range of different Committees that the other place has established.

I was interested to hear the hon. Gentleman say that he was open-minded on the question of voting. His hon. Friend the hon. Member for Wellingborough (Mr. Bone), sitting immediately behind the Front-Bench team, promptly jumped up to say loyally that he was not open-minded on the question of a vote. For those who seriously advocate a vote, there are some significant factors that have not yet been worked through. I shall return to the matter at the end of my remarks, but the hon. Member for Cotswold was spot on when he said in the end that Secretaries of State must be responsible for national policy statements, because national policy statements are just that: they are policy statements and they are the responsibility of Government.

I welcomed the contribution of the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) to the debate in the Chamber and in Committee. He said that the public must be fully involved in the new planning system. They will be. There will be opportunities for them to be involved in a stronger, clearer and more systematic way than in the current system. First, the new national policy statements will be subject to full public consultation, with particular provisions where there are location-specific elements to policy statements that will have potential effects in local areas.

Secondly, for the first time ever, there will be a duty on any promoter who wants to submit an application for a major project to contact and consult local communities and local councils before they even submit their application, with the IPC being prepared not even to consider the application unless that is done properly. Thirdly, there will be a protection for the right to be heard in inquiries. Fourthly, planning aid will be doubled so that individuals and local groups that are short of resources can get the advice and in some cases the support on representation that they require to make their views heard and their point of view tell in inquiries.

Mr. Llwyd: I thank the Minister for the detailed response that he is giving the House.

At the end of the day, the IPC can decide in what form an objector is to give evidence before it, and it can decide whether to allow cross-examination of the proposer. To my way of thinking, that is a little different from what the Minister said, albeit inadvertently.

John Healey: It is not different at all. Everyone will have a right to submit evidence to the commission; they can do that in writing. Everyone will have the right to be heard in an open session if they require that. We seek to put in place specific open sessions for those whose properties are affected by compulsory purchase orders. The questioning will be led by the commission itself, not by lawyers. It will not involve the kind of adversarial, sometimes off-putting, hugely expensive and often lengthy lawyer-driven process in which local voices are normally the first to get lost. We can ensure that the inquiry can be conducted fairly and faster than is sometimes the case in the big inquiries, some of which get bogged down for years.

On the issue of existing policy statements, I say to the hon. Member for Meirionnydd Nant Conwy and my hon. Friend the Member for Hayes and Harlington (John McDonnell), to paraphrase a former US President: read my words. [HON. MEMBERS: "Read my lips!"] I said "to paraphrase". I encourage the hon. Member for Meirionnydd Nant Conwy to consult the *Official Report* tomorrow.

I say to my hon. Friend the Member for Hayes and Harlington that I am glad to have his support for national policy statements and his acceptance that the arrangements on parliamentary scrutiny and public consultation, which we have now agreed with the Select Committee Chairs, are an important step forward. However, simply saying that he might wish to abolish the other place is beyond the scope of the Bill and does not answer the concern that the other place may take a different view, if that is equally binding to that of this place, on a policy statement. It is not an answer simply to say that the Parliament Act 1949 is in place; that is used only for legislation.

John McDonnell: Will the Minister give way?

John Healey: Will my hon. Friend forgive me if I do not? I have given way to him so often today, and I want to deal with the other points that have been raised.

It is good to see the hon. Member for Newbury (Mr. Benyon) in his place for this part of the proceedings. I hope that he will accept that his amendment No. 3 seeks to add a level of detail that is not appropriate for the Bill—certainly not before the Government have come to their conclusions following consideration of the specialist advisory report or the recommendations and views of the Health Protection Agency.

Let me give the hon. Gentleman what I hope he will take as a note of encouragement. The appraisal of sustainability that I have made clear will be required as part of the process for producing a draft national policy statement—certainly before the statement can be designated—will need to consider, as an appraisal of sustainability and not just of the environment, population and human health as part of the social, economic and environmental effects. Furthermore, there is a provision in the Bill that gives the Secretary of State a power to prescribe statutory consultees in secondary legislation. I say to the hon. Gentleman that this is the process and that is the place in which to consider the roles of the organisations in which he has an interest.

Mr. Benyon: I am grateful for those assurances, but will the Minister give me one more? Will he, in consultation with his colleagues in the Department for Business, Enterprise and Regulatory Reform and the Department of Health, speed the process along? The issue now has a head of steam. We have a detailed statistic on the risk for children who live close to such facilities. We want progress in co-operation with other Departments, so that we can carry a precautionary principle through to some future conclusion.

John Healey: I can give the hon. Gentleman that assurance and I pay tribute to him and the hon. Member for Ruislip-Northwood (Mr. Hurd), who contributed to the Housing and Regeneration Bill. I also pay tribute to my hon. Friend the Member for Bolton, South-East (Dr. Iddon), who contributed in the same way to the Energy Bill. The Under-Secretary of State for Communities and Local Government, my hon. Friend the Member for Hartlepool (Mr. Wright), is keen to see this concluded, and I will also do my best to ensure that it is.

My hon. Friend the Member for Sheffield, Attercliffe (Mr. Betts) described national policy statements as the basis of the Bill and said that they are right in principle and in process. He rightly said that the Select Committees are reassuring about the fact that they can do a proper job of scrutiny under the provisions that we set out in the Bill. I hope that that is a firm basis for this House to endorse our proposals. I understand him when he says that he has an instinctive attraction to the idea of a binding vote for approval, but he set out, more eloquently than I did, some of the problems and flaws that still exist in that regard.

In response to the hon. Member for North Cornwall (Dan Rogerson), resolutions of either House are designed to deal with debates that may or may not take place in either House on a national policy statement. In the Bill, we frame that as taking into account those debates or the report of a Committee of this House. We mean both but draft it in that way because there may well be no debate or resolution on a particular national policy statement in either House.

Very few Members on either side of the House have been more consistent or committed as advocates of action on climate change than my hon. Friend the Member for Stroud (Mr. Drew). He is right to say that we should not be debating this in isolation. There are links to the Energy Bill, to the prospective marine Bill and, as I tried to make clear, to the Climate Change Bill. As I said earlier, there will be what he described as due regard to climate change in the appraisals of sustainability. It will then be built into national policy statements based on the sustainable development that he has been so keen to see, which will be the framework that the IPC has to use as a single-principle policy framework for considering and determining any applications for major projects.

My hon. Friend took me to task and pointed out in particular that there is a duty in clause 151 on local planning authorities in relation to climate change. Let me be clear to the House. Clause 151 relates to plan-making only—to development plan documents, which are the equivalent at the local level of our national policy statements. We do not need to put a similar duty on Ministers when drawing up the national policy statements because, first, we have the sustainable development duty; secondly, we have the duty on Ministers to do an appraisal of sustainability and to publish it alongside the draft national policy statement; and, thirdly, we have the Climate Change Bill, which will bear on Ministers in a way that it will not bear on local authorities. I hope that that may be sufficient reassurance to my hon. Friend not to press his amendments.

Mr. Drew: I hear what the Minister says. However, if we are going to state categorically in the Climate Change Bill that there is a duty on Ministers, I see even more of a dilemma in not stating it categorically in this Bill. They should be interwoven—that is what gives them their strength.

John Healey: But the interlinking of the provisions of this Bill with the provisions of the Climate Change Bill was precisely his point and precisely my point. Instead of replicating or duplicating, the power of the provisions in the Climate Change Bill will bite hard on Ministers and on central Government but will not bite in the same way, on local authorities. It is therefore reasonable and right to look in clause 151 at placing this duty on the equivalent plan-making power, with the development plan documents, as we are doing in the national policy statements.

Finally, I turn to the comments of the hon. Member for Beckenham (Mrs. Lait). I welcome her welcome of our amendments on blight and compulsory purchase and her recognition that climate change will be considered as part of sustainability appraisals of the national policy statements. When she spoke to her amendments, she was right to say that the House will not own the policy. The policy is properly the responsibility of the Government and elected Ministers. The policy is rightly that of the Government, but before it is put in place it is also right that it is subject to strong and full public consultation and parliamentary scrutiny, which is what new clause 8 and the associated amendments are designed to do.

9.45 pm

The hon. Lady said that she did not want to see long inquiries in the future. We share that view. I do not want long, costly inquiries in which local people lose out to lawyers who make it impossible for them to get their views across. I do not want a situation where the inquiry becomes the place in which national need and national policy is debated. That is vital. It is a matter for the Government and this House, not inspectors or commissioners conducting an inquiry or an examination of a particular application. It is our responsibility to settle the matter so that decisions on applications are taken on the strength of applications within the framework of the new national policy statements. Those statements should be the principal reference for any IPC considerations. Of course, national policy statements must meet the standards of a sustainability appraisal, a public consultation and the parliamentary scrutiny set out in the Bill.

The hon. Lady was kind enough to describe the form of parliamentary scrutiny and consideration that we proposed as "new" and "unique". I hope that she accepts after this debate that it is an important innovation. I hope that she also accepts that the case she tried to make for a binding vote is rather like the state of the drafting, which she admitted is flawed. I hope that she accepts new clause 8, and I hope that she will not press either of her amendments to a Division. If she does, I shall ask my hon. Friends to resist.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 1

CLIMATE CHANGE

'(1) A statement may only be designated under section 5 if the Secretary of State is satisfied that (taken as a whole) the policies in the statement contribute to the mitigation of, and adaptation to, climate change.

(2) A statement designated under section 5 must contain a statement to the effect that it is the Secretary of State's view that the requirement of subsection (1) is satisfied.'.—*[Mr. Drew.]*

Brought up, and read the First time.

Question put, That the clause be read a Second time:—

The House divided: Ayes 241, Noes 256.

Division No. 206] **[9.49 pm**

AYES

Abbott, Ms Diane
Afriyie, Adam
Ainsworth, Mr. Peter
Alexander, Danny
Amess, Mr. David
Ancram, rh Mr. Michael
Arbuthnot, rh Mr. James
Atkinson, Mr. Peter
Bacon, Mr. Richard
Baker, Norman
Baldry, Tony
Barker, Gregory
Baron, Mr. John
Barrett, John
Bellingham, Mr. Henry
Benyon, Mr. Richard
Bercow, John
Beresford, Sir Paul
Binley, Mr. Brian
Blunt, Mr. Crispin
Bone, Mr. Peter
Boswell, Mr. Tim
Bottomley, Peter
Brady, Mr. Graham
Brake, Tom
Brazier, Mr. Julian
Breed, Mr. Colin
Brokenshire, James
Brooke, Annette
Browne, Mr. Jeremy
Browning, Angela
Bruce, rh Malcolm
Burgon, Colin
Burns, Mr. Simon
Burrowes, Mr. David
Burstow, Mr. Paul
Burt, Alistair
Burt, Lorely
Campbell, rh Sir Menzies
Carswell, Mr. Douglas
Caton, Mr. Martin
Challen, Colin
Clark, Greg
Clark, Ms Katy
Clarke, rh Mr. Kenneth
Clifton-Brown, Mr. Geoffrey
Cohen, Harry
Cook, Frank
Corbyn, Jeremy
Cousins, Jim
Cox, Mr. Geoffrey
Crabb, Mr. Stephen
Davies, Mr. Dai
Davies, David T.C. *(Monmouth)*
Davies, Philip
Dorrell, rh Mr. Stephen
Drew, Mr. David
Duddridge, James
Duncan, Alan
Duncan Smith, rh Mr. Iain
Dunne, Mr. Philip
Ellwood, Mr. Tobias
Evennett, Mr. David
Fabricant, Michael
Fallon, Mr. Michael
Farron, Tim
Featherstone, Lynne
Field, Mr. Mark
Flynn, Paul
Foster, Mr. Don
Fox, Dr. Liam
Francois, Mr. Mark
Fraser, Christopher
Gale, Mr. Roger
Garnier, Mr. Edward
Gauke, Mr. David
George, Andrew
Gerrard, Mr. Neil
Gibb, Mr. Nick
Gidley, Sandra
Gillan, Mrs. Cheryl
Goldsworthy, Julia
Goodman, Mr. Paul
Goodwill, Mr. Robert
Gove, Michael
Gray, Mr. James
Grayling, Chris
Green, Damian
Greening, Justine
Grieve, Mr. Dominic
Grogan, Mr. John
Gummer, rh Mr. John
Hammond, Mr. Philip
Hammond, Stephen
Hands, Mr. Greg
Harper, Mr. Mark
Harris, Dr. Evan
Harvey, Nick
Havard, Mr. Dai
Hayes, Mr. John
Heald, Mr. Oliver
Heathcoat-Amory, rh Mr. David
Hemming, John
Hendry, Charles
Herbert, Nick
Hoban, Mr. Mark
Hoey, Kate
Hogg, rh Mr. Douglas
Hollobone, Mr. Philip
Holloway, Mr. Adam
Holmes, Paul
Hopkins, Kelvin
Horam, Mr. John
Horwood, Martin
Howard, rh Mr. Michael
Howarth, David
Howarth, Mr. Gerald
Hughes, Simon
Huhne, Chris
Hunt, Mr. Jeremy
Hunter, Mark
Jackson, Mr. Stewart
Jones, Mr. David
Jones, Lynne
Kawczynski, Daniel
Keetch, Mr. Paul
Key, Robert
Kirkbride, Miss Julie
Knight, rh Mr. Greg
Kramer, Susan
Laing, Mrs. Eleanor
Lait, Mrs. Jacqui
Lamb, Norman
Lancaster, Mr. Mark
Lansley, Mr. Andrew
Leech, Mr. John
Leigh, Mr. Edward
Letwin, rh Mr. Oliver
Lewis, Dr. Julian
Liddell-Grainger, Mr. Ian
Lidington, Mr. David
Lilley, rh Mr. Peter
Llwyd, Mr. Elfyn
Loughton, Tim
Luff, Peter
Mackay, rh Mr. Andrew
Maclean, rh David
Main, Anne
Maples, Mr. John
Marshall-Andrews, Mr. Robert
Maude, rh Mr. Francis
May, rh Mrs. Theresa
McDonnell, John
McIntosh, Miss Anne
McLoughlin, rh Mr. Patrick
Meacher, rh Mr. Michael
Mercer, Patrick
Miller, Mrs. Maria
Milton, Anne
Moore, Mr. Michael
Moss, Mr. Malcolm
Mulholland, Greg
Mundell, David
Murrison, Dr. Andrew
Neill, Robert
Newmark, Mr. Brooks
O'Brien, Mr. Stephen
Öpik, Lembit
Osborne, Mr. George
Ottaway, Richard
Paice, Mr. James
Paterson, Mr. Owen
Penning, Mike
Penrose, John
Pickles, Mr. Eric
Prentice, Mr. Gordon
Prisk, Mr. Mark
Pritchard, Mark
Pugh, Dr. John
Randall, Mr. John
Redwood, rh Mr. John
Reid, Mr. Alan
Rennie, Willie
Riordan, Mrs. Linda
Robathan, Mr. Andrew
Robertson, Hugh
Robertson, Mr. Laurence
Rogerson, Dan
Rosindell, Andrew
Ruffley, Mr. David
Russell, Bob
Sanders, Mr. Adrian
Scott, Mr. Lee
Selous, Andrew
Shepherd, Mr. Richard
Simmonds, Mark
Simpson, David
Simpson, Mr. Keith

Smith, Sir Robert
Soames, Mr. Nicholas
Spelman, Mrs. Caroline
Spicer, Sir Michael
Spink, Bob
Spring, Mr. Richard
Stanley, rh Sir John
Streeter, Mr. Gary
Stuart, Mr. Graham
Stunell, Andrew
Swayne, Mr. Desmond
Swire, Mr. Hugo
Syms, Mr. Robert
Taylor, David
Taylor, Dr. Richard
Teather, Sarah
Thurso, John
Timpson, Edward
Truswell, Mr. Paul
Turner, Mr. Andrew
Tyrie, Mr. Andrew
Vaizey, Mr. Edward
Vara, Mr. Shailesh
Viggers, Peter
Villiers, Mrs. Theresa
Walker, Mr. Charles
Wallace, Mr. Ben
Waterson, Mr. Nigel
Watkinson, Angela
Webb, Steve
Whittingdale, Mr. John
Widdecombe, rh Miss Ann
Wiggin, Bill
Williams, Mr. Roger
Williams, Stephen
Willis, Mr. Phil
Willott, Jenny
Wilson, Mr. Rob
Winterton, Ann
Winterton, Sir Nicholas
Wright, Jeremy
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Ayes:
Mr. David Heath and
Mr. Nick Hurd

NOES

Ainger, Nick
Ainsworth, rh Mr. Bob
Allen, Mr. Graham
Anderson, Mr. David
Anderson, Janet
Armstrong, rh Hilary
Austin, Mr. Ian
Austin, John
Bailey, Mr. Adrian
Baird, Vera
Balls, rh Ed
Banks, Gordon
Barlow, Ms Celia
Battle, rh John
Bayley, Hugh
Beckett, rh Margaret
Begg, Miss Anne
Bell, Sir Stuart
Benn, rh Hilary
Benton, Mr. Joe
Berry, Roger
Betts, Mr. Clive
Blackman, Liz
Blackman-Woods, Dr. Roberta
Blears, rh Hazel
Blunkett, rh Mr. David
Borrow, Mr. David S.
Bradshaw, Mr. Ben
Brennan, Kevin
Brown, Lyn
Brown, rh Mr. Nicholas
Brown, Mr. Russell
Browne, rh Des
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Butler, Ms Dawn
Byrne, Mr. Liam
Caims, David
Campbell, Mr. Alan
Campbell, Mr. Ronnie
Cawsey, Mr. Ian
Chapman, Ben
Clapham, Mr. Michael
Clark, Paul
Clarke, rh Mr. Charles
Clarke, rh Mr. Tom
Coaker, Mr. Vernon
Coffey, Ann
Connarty, Michael
Cooper, Rosie
Crausby, Mr. David
Cruddas, Jon
Cryer, Mrs. Ann
Cummings, John
Cunningham, Mr. Jim
Cunningham, Tony
Davies, Mr. Quentin
Dean, Mrs. Janet
Denham, rh Mr. John
Devine, Mr. Jim
Dhanda, Mr. Parmjit
Dismore, Mr. Andrew
Dobson, rh Frank
Donohoe, Mr. Brian H.
Doran, Mr. Frank
Dowd, Jim
Eagle, Angela
Eagle, Maria
Efford, Clive
Ellman, Mrs. Louise
Ennis, Jeff
Farrelly, Paul
Field, rh Mr. Frank
Fitzpatrick, Jim
Flello, Mr. Robert
Flint, rh Caroline
Follett, Barbara
Foster, Mr. Michael
(Worcester)
Foster, Michael Jabez
(Hastings and Rye)
Francis, Dr. Hywel
Gapes, Mike
Gardiner, Barry
George, rh Mr. Bruce
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Mr. Roger
Goggins, Paul
Goodman, Helen
Griffith, Nia
Griffiths, Nigel
Gwynne, Andrew
Hall, Mr. Mike
Hall, Patrick
Hamilton, Mr. David
Hamilton, Mr. Fabian
Hanson, rh Mr. David
Harman, rh Ms Harriet
Harris, Mr. Tom
Healey, John
Henderson, Mr. Doug
Hendrick, Mr. Mark
Hepburn, Mr. Stephen
Heppell, Mr. John
Hesford, Stephen
Heyes, David
Hill, rh Keith
Hodgson, Mrs. Sharon
Hoon, rh Mr. Geoffrey
Hope, Phil
Howarth, rh Mr. George
Howells, Dr. Kim
Hoyle, Mr. Lindsay
Hughes, rh Beverley
Humble, Mrs. Joan
Iddon, Dr. Brian
Ingram, rh Mr. Adam
Irranca-Davies, Huw
James, Mrs. Siân C.
Jenkins, Mr. Brian
Johnson, rh Alan
Johnson, Ms Diana R.
Jones, Helen
Jones, Mr. Kevan
Jones, Mr. Martyn
Kaufman, rh Sir Gerald
Keeble, Ms Sally
Keeley, Barbara
Keen, Alan
Keen, Ann
Kemp, Mr. Fraser
Kennedy, rh Jane
Khan, Mr. Sadiq
Kidney, Mr. David
Kilfoyle, Mr. Peter
Knight, Jim
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, Mr. David
Lazarowicz, Mark
Lepper, David
Levitt, Tom
Lewis, Mr. Ivan
Linton, Martin
Lloyd, Tony
Love, Mr. Andrew
Lucas, Ian
Mackinlay, Andrew
Mactaggart, Fiona
Malik, Mr. Shahid
Mallaber, Judy
Mann, John
Marris, Rob
Marsden, Mr. Gordon
Martlew, Mr. Eric
McAvoy, rh Mr. Thomas
McCabe, Steve
McCafferty, Chris
McCarthy-Fry, Sarah
McDonagh, Siobhain
McFadden, Mr. Pat
McFall, rh John
McGovern, Mr. Jim
McGuire, Mrs. Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Merron, Gillian
Michael, rh Alun
Milburn, rh Mr. Alan
Miller, Andrew
Moffatt, Laura
Mole, Chris
Moon, Mrs. Madeleine
Morden, Jessica
Morgan, Julie
Morley, rh Mr. Elliot
Mudie, Mr. George
Mullin, Mr. Chris
Munn, Meg
Murphy, Mr. Denis
Murphy, rh Mr. Paul
Naysmith, Dr. Doug
Norris, Dan
O'Brien, Mr. Mike
Olner, Mr. Bill
Osborne, Sandra
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Plaskitt, Mr. James
Pound, Stephen
Prentice, Bridget
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Mr. Ken
Purnell, rh James
Raynsford, rh Mr. Nick
Reed, Mr. Andy
Reed, Mr. Jamie
Reid, rh John
Robertson, John
Robinson, Mr. Geoffrey
Rooney, Mr. Terry
Roy, Mr. Frank
Ruane, Chris
Ruddock, Joan
Russell, Christine
Ryan, rh Joan
Salter, Martin
Seabeck, Alison
Sharma, Mr. Virendra
Shaw, Jonathan
Sheridan, Jim
Simon, Mr. Siôn
Skinner, Mr. Dennis
Slaughter, Mr. Andy
Smith, rh Mr. Andrew
Smith, Ms Angela C.
(Sheffield, Hillsborough)
Smith, Angela E. *(Basildon)*
Snelgrove, Anne
Soulsby, Sir Peter
Southworth, Helen
Spellar, rh Mr. John
Starkey, Dr. Phyllis
Stewart, Ian
Strang, rh Dr. Gavin
Straw, rh Mr. Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Mr. Gerry
Tami, Mark
Taylor, Ms Dari
Thornberry, Emily

Timms, rh Mr. Stephen
Todd, Mr. Mark
Touhig, rh Mr. Don
Trickett, Jon
Turner, Dr. Desmond
Turner, Mr. Neil
Twigg, Derek
Ussher, Kitty
Walley, Joan
Waltho, Lynda
Watson, Mr. Tom
Watts, Mr. Dave
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Mr. Alan
Wills, Mr. Michael
Wilson, Phil
Winnick, Mr. David
Winterton, rh Ms Rosie
Wright, Mr. Anthony
Wright, David
Wright, Mr. Iain
Wyatt, Derek

Tellers for the Noes:
Mr. Bob Blizzard and
Mr. Wayne David

Question accordingly negatived.

It being after Ten o'clock, MR SPEAKER *proceeded to put forthwith the Questions necessary for the disposal of the business to be concluded at that hour, pursuant to Order [this day.]*

Clause 5

NATIONAL POLICY STATEMENTS

Amendment proposed: No. 53, in page 3, line 8 , at end insert·

', and

(c) has been approved by both Houses of Parliament.'.—*[Mrs. Lait.]*

Question put, That the amendment be made:—

The House divided: Ayes 223, Noes 277.

Division No. 207] **[10.5 pm**

AYES

Afriyie, Adam
Ainsworth, Mr. Peter
Alexander, Danny
Amess, Mr. David
Ancram, rh Mr. Michael
Arbuthnot, rh Mr. James
Atkinson, Mr. Peter
Bacon, Mr. Richard
Baker, Norman
Baldry, Tony
Barker, Gregory
Barrett, John
Bellingham, Mr. Henry
Benyon, Mr. Richard
Bercow, John
Beresford, Sir Paul
Binley, Mr. Brian
Blunt, Mr. Crispin
Bone, Mr. Peter
Boswell, Mr. Tim
Bottomley, Peter
Brady, Mr. Graham
Brake, Tom
Brazier, Mr. Julian
Breed, Mr. Colin
Brokenshire, James
Brooke, Annette
Browne, Mr. Jeremy
Browning, Angela
Bruce, rh Malcolm
Burns, Mr. Simon
Burrowes, Mr. David
Burstow, Mr. Paul
Burt, Alistair
Burt, Lorely
Cable, Dr. Vincent
Campbell, rh Sir Menzies
Carswell, Mr. Douglas
Clark, Greg
Clarke, rh Mr. Kenneth
Clifton-Brown, Mr. Geoffrey
Corbyn, Jeremy
Cox, Mr. Geoffrey
Crabb, Mr. Stephen
Davey, Mr. Edward
Davies, Mr. Dai
Davies, David T.C.
(Monmouth)
Davies, Philip
Dorrell, rh Mr. Stephen
Duddridge, James
Duncan, Alan
Duncan Smith, rh Mr. Iain
Dunne, Mr. Philip
Ellwood, Mr. Tobias
Evennett, Mr. David
Fabricant, Michael
Fallon, Mr. Michael
Farron, Tim
Featherstone, Lynne
Field, Mr. Mark
Foster, Mr. Don
Fox, Dr. Liam
Francois, Mr. Mark
Fraser, Christopher
Gale, Mr. Roger
Garnier, Mr. Edward
Gauke, Mr. David
George, Andrew
Gibb, Mr. Nick
Gidley, Sandra
Gillan, Mrs. Cheryl
Goldsworthy, Julia
Goodman, Mr. Paul
Goodwill, Mr. Robert
Gove, Michael
Gray, Mr. James
Grayling, Chris
Green, Damian
Greening, Justine
Grieve, Mr. Dominic
Gummer, rh Mr. John
Hammond, Mr. Philip
Hammond, Stephen
Hands, Mr. Greg
Harper, Mr. Mark
Harris, Dr. Evan
Harvey, Nick
Hayes, Mr. John
Heald, Mr. Oliver
Heath, Mr. David
Heathcoat-Amory, rh
Mr. David
Hemming, John
Hendry, Charles
Herbert, Nick
Hoban, Mr. Mark
Hogg, rh Mr. Douglas
Hollobone, Mr. Philip
Holloway, Mr. Adam
Holmes, Paul
Horam, Mr. John
Horwood, Martin
Howard, rh Mr. Michael
Howarth, David
Howarth, Mr. Gerald
Hughes, Simon
Huhne, Chris
Hunt, Mr. Jeremy
Hunter, Mark
Jackson, Mr. Stewart
Jones, Mr. David
Kawczynski, Daniel
Keetch, Mr. Paul
Key, Robert
Kirkbride, Miss Julie
Knight, rh Mr. Greg
Kramer, Susan
Laing, Mrs. Eleanor
Lait, Mrs. Jacqui
Lamb, Norman
Lancaster, Mr. Mark
Lansley, Mr. Andrew
Leech, Mr. John
Leigh, Mr. Edward
Letwin, rh Mr. Oliver
Lewis, Dr. Julian
Liddell-Grainger, Mr. Ian
Lidington, Mr. David
Lilley, rh Mr. Peter
Llwyd, Mr. Elfyn
Loughton, Tim
Luff, Peter
Mackay, rh Mr. Andrew
Maclean, rh David
Main, Anne
Maples, Mr. John
Maude, rh Mr. Francis
May, rh Mrs. Theresa
McDonnell, John
McIntosh, Miss Anne
McLoughlin, rh Mr. Patrick
Mercer, Patrick
Miller, Mrs. Maria
Milton, Anne
Moore, Mr. Michael
Moss, Mr. Malcolm
Mulholland, Greg
Mundell, David
Murrison, Dr. Andrew
Neill, Robert
Newmark, Mr. Brooks
O'Brien, Mr. Stephen
Öpik, Lembit
Osborne, Mr. George
Ottaway, Richard
Paice, Mr. James
Paterson, Mr. Owen
Penning, Mike
Penrose, John
Pickles, Mr. Eric
Prisk, Mr. Mark
Pritchard, Mark
Pugh, Dr. John
Randall, Mr. John
Redwood, rh Mr. John
Reid, Mr. Alan
Rennie, Willie
Robathan, Mr. Andrew
Robertson, Hugh
Robertson, Mr. Laurence
Rogerson, Dan
Rosindell, Andrew
Ruffley, Mr. David
Russell, Bob
Sanders, Mr. Adrian
Scott, Mr. Lee
Selous, Andrew
Shepherd, Mr. Richard
Simmonds, Mark
Simpson, David
Simpson, Mr. Keith
Smith, Sir Robert
Soames, Mr. Nicholas
Spelman, Mrs. Caroline
Spicer, Sir Michael
Spink, Bob
Spring, Mr. Richard
Stanley, rh Sir John
Streeter, Mr. Gary
Stuart, Mr. Graham
Stunell, Andrew
Swayne, Mr. Desmond
Swire, Mr. Hugo
Syms, Mr. Robert
Taylor, Dr. Richard
Teather, Sarah
Thurso, John
Timpson, Edward
Tredinnick, David
Turner, Mr. Andrew
Tyrie, Mr. Andrew
Vaizey, Mr. Edward
Vara, Mr. Shailesh
Viggers, Peter
Villiers, Mrs. Theresa
Walker, Mr. Charles
Wallace, Mr. Ben
Waterson, Mr. Nigel
Watkinson, Angela
Webb, Steve
Whittingdale, Mr. John

Widdecombe, rh Miss Ann
Wiggin, Bill
Williams, Mr. Roger
Williams, Stephen
Willis, Mr. Phil
Willott, Jenny
Wilson, Mr. Rob
Winterton, Ann
Winterton, Sir Nicholas
Wright, Jeremy
Yeo, Mr. Tim
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Ayes:
Mr. John Baron and
Mr. Nick Hurd

NOES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, rh Mr. Bob
Allen, Mr. Graham
Anderson, Mr. David
Anderson, Janet
Armstrong, rh Hilary
Austin, Mr. Ian
Austin, John
Bailey, Mr. Adrian
Baird, Vera
Balls, rh Ed
Banks, Gordon
Barlow, Ms Celia
Battle, rh John
Bayley, Hugh
Beckett, rh Margaret
Begg, Miss Anne
Bell, Sir Stuart
Benn, rh Hilary
Benton, Mr. Joe
Berry, Roger
Betts, Mr. Clive
Blackman, Liz
Blackman-Woods, Dr. Roberta
Blears, rh Hazel
Blunkett, rh Mr. David
Borrow, Mr. David S.
Bradshaw, Mr. Ben
Brennan, Kevin
Brown, Lyn
Brown, rh Mr. Nicholas
Brown, Mr. Russell
Browne, rh Des
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, rh Andy
Butler, Ms Dawn
Byrne, Mr. Liam
Cairns, David
Campbell, Mr. Alan
Campbell, Mr. Ronnie
Caton, Mr. Martin
Cawsey, Mr. Ian
Challen, Colin
Chapman, Ben
Clapham, Mr. Michael
Clark, Ms Katy
Clark, Paul
Clarke, rh Mr. Charles
Clarke, rh Mr. Tom
Coaker, Mr. Vernon
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Frank
Cooper, Rosie
Cousins, Jim
Crausby, Mr. David
Cruddas, Jon
Cryer, Mrs. Ann
Cummings, John
Cunningham, Mr. Jim
Cunningham, Tony
Davies, Mr. Quentin
Dean, Mrs. Janet
Denham, rh Mr. John
Devine, Mr. Jim
Dhanda, Mr. Parmjit
Dismore, Mr. Andrew
Dobson, rh Frank
Donohoe, Mr. Brian H.
Doran, Mr. Frank
Dowd, Jim
Eagle, Angela
Eagle, Maria
Efford, Clive
Ellman, Mrs. Louise
Ennis, Jeff
Farrelly, Paul
Field, rh Mr. Frank
Flello, Mr. Robert
Flint, rh Caroline
Flynn, Paul
Follett, Barbara
Foster, Mr. Michael
(Worcester)
Foster, Michael Jabez
(Hastings and Rye)
Francis, Dr. Hywel
Gapes, Mike
Gardiner, Barry
George, rh Mr. Bruce
Gerrard, Mr. Neil
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Mr. Roger
Goggins, Paul
Goodman, Helen
Griffith, Nia
Griffiths, Nigel
Gwynne, Andrew
Hall, Mr. Mike
Hall, Patrick
Hamilton, Mr. David
Hamilton, Mr. Fabian
Hanson, rh Mr. David
Harman, rh Ms Harriet
Harris, Mr. Tom
Havard, Mr. Dai
Healey, John
Henderson, Mr. Doug
Hendrick, Mr. Mark
Hepburn, Mr. Stephen
Heppell, Mr. John
Hesford, Stephen
Heyes, David
Hill, rh Keith
Hillier, Meg
Hodgson, Mrs. Sharon
Hoey, Kate
Hoon, rh Mr. Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, rh Mr. George
Howells, Dr. Kim
Hoyle, Mr. Lindsay
Hughes, rh Beverley
Humble, Mrs. Joan
Iddon, Dr. Brian
Ingram, rh Mr. Adam
Irranca-Davies, Huw
James, Mrs. Siân C.
Jenkins, Mr. Brian
Johnson, rh Alan
Johnson, Ms Diana R.
Jones, Helen
Jones, Mr. Kevan
Jones, Lynne
Jones, Mr. Martyn
Kaufman, rh Sir Gerald
Keeble, Ms Sally
Keeley, Barbara
Keen, Alan
Keen, Ann
Kemp, Mr. Fraser
Kennedy, rh Jane
Khan, Mr. Sadiq
Kidney, Mr. David
Kilfoyle, Mr. Peter
Knight, Jim
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, Mr. David
Lazarowicz, Mark
Lepper, David
Levitt, Tom
Lewis, Mr. Ivan
Linton, Martin
Lloyd, Tony
Love, Mr. Andrew
Lucas, Ian
Mackinlay, Andrew
Mactaggart, Fiona
Malik, Mr. Shahid
Mallaber, Judy
Mann, John
Marris, Rob
Marsden, Mr. Gordon
Marshall-Andrews, Mr. Robert
Martlew, Mr. Eric
McAvoy, rh Mr. Thomas
McCabe, Steve
McCafferty, Chris
McCarthy-Fry, Sarah
McDonagh, Siobhain
McFadden, Mr. Pat
McFall, rh John
McGovern, Mr. Jim
McGuire, Mrs. Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Meacher, rh Mr. Michael
Merron, Gillian
Michael, rh Alun
Milburn, rh Mr. Alan
Miller, Andrew
Moffatt, Laura
Mole, Chris
Moon, Mrs. Madeleine
Morden, Jessica
Morgan, Julie
Morley, rh Mr. Elliot
Mudie, Mr. George
Mullin, Mr. Chris
Munn, Meg
Murphy, Mr. Denis
Murphy, Mr. Jim
Murphy, rh Mr. Paul
Naysmith, Dr. Doug
Norris, Dan
O'Brien, Mr. Mike
Olner, Mr. Bill
Osborne, Sandra
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Plaskitt, Mr. James
Pound, Stephen
Prentice, Bridget
Prentice, Mr. Gordon
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Mr. Ken
Purnell, rh James
Raynsford, rh Mr. Nick
Reed, Mr. Andy
Reed, Mr. Jamie
Reid, rh John
Riordan, Mrs. Linda
Robertson, John
Robinson, Mr. Geoffrey
Roy, Mr. Frank
Ruane, Chris
Ruddock, Joan
Russell, Christine
Ryan, rh Joan
Salter, Martin
Seabeck, Alison
Sharma, Mr. Virendra
Shaw, Jonathan
Sheridan, Jim
Simon, Mr. Siôn
Skinner, Mr. Dennis
Slaughter, Mr. Andy
Smith, rh Mr. Andrew
Smith, Ms Angela C.
(Sheffield, Hillsborough)
Smith, Angela E. *(Basildon)*
Snelgrove, Anne
Soulsby, Sir Peter
Southworth, Helen
Spellar, rh Mr. John
Starkey, Dr. Phyllis
Stewart, Ian
Strang, rh Dr. Gavin
Straw, rh Mr. Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Mr. Gerry
Tami, Mark
Taylor, Ms Dari
Taylor, David
Thornberry, Emily
Timms, rh Mr. Stephen
Todd, Mr. Mark
Touhig, rh Mr. Don
Trickett, Jon
Turner, Dr. Desmond
Turner, Mr. Neil
Twigg, Derek
Ussher, Kitty
Walley, Joan

Waltho, Lynda
Watson, Mr. Tom
Watts, Mr. Dave
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Mr. Alan
Wills, Mr. Michael
Wilson, Phil
Winnick, Mr. David
Winterton, rh Ms Rosie
Woolas, Mr. Phil
Wright, David
Wright, Mr. Iain
Wyatt, Derek

Tellers for the Noes:
Mr. Bob Blizzard and
Mr. Wayne David

Question accordingly negatived.

Clause 5

NATIONAL POLICY STATEMENTS

Amendments made: No. 72, in page 3, line 16, after '7', insert

', and the parliamentary requirements set out in section [Parliamentary requirements],'.

No. 73, in page 3, line 34, after 'statement', insert ', and

(b) lay a national policy statement before Parliament.'.—*[Mr. Alan Campbell.]*

Clause 6

REVIEW

Amendments made: No. 74, in page 4, line 7, after '7', insert

', and the parliamentary requirements set out in section [Parliamentary requirements],'.

No. 75, in page 4, line 14, after 'published', insert ', and

(b) lay the amendment, or the statement as amended, before Parliament.'.—*[Mr. Alan Campbell.]*

Clause 11

PRE-COMMENCEMENT STATEMENTS OF POLICY, CONSULTATION ETC.

Amendment made: No. 76, in page 6, line 3 [Clause 11], at end insert—

'(3A) The Secretary of State may take account of things done before the commencement day for the purpose of complying with the requirements of section [Parliamentary requirements].'.—*[Mr. Alan Campbell.]*

Bill, as amended in the Committee, to be further considered tomorrow.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Delegated Legislation Committees),

REPRESENTATION OF THE PEOPLE

That the draft Parliamentary Constituencies (Northern Ireland) Order 2008, which was laid before this House on 31st March, be approved.—*[Mr. Alan Campbell.]*

Question agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Delegated Legislation Committees),

HEALTH CARE AND ASSOCIATED PROFESSIONS

That the draft Nursing and Midwifery (Amendment) Order 2008, which was laid before this House on 21st April, be approved.—*[Mr. Alan Campbell.]*

Question agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Delegated Legislation Committees),

PENSIONS

That the draft Financial Assistance Scheme (Miscellaneous Provisions) Regulations 2008, which were laid before this House on 29th April, be approved.—*[Mr. Alan Campbell.]*

Question agreed to.

EUROPEAN UNION DOCUMENTS

CARBON CAPTURE AND STORAGE

Motion made, and Question put forthwith, pursuant to Standing Order No. 119(9) (European Committees),

That this House takes note of European Union Document No. 5835/08 and Addenda 1 and 2; notes its objective of removing legislative barriers to the geological storage of carbon dioxide in existing Community legislation; and supports the Government's approach to securing practical and proportionate legislation that promotes the environmentally safe storage of carbon dioxide.—*[Mr. Alan Campbell.]*

Question agreed to.

DELEGATED LEGISLATION

Ordered,

That the Farriers' Qualifications (European Recognition) Regulations 2008 (S.I., 2008, No. 646), dated 5th March 2008, be referred to a Delegated Legislation Committee.—*[Mr. Alan Campbell.]*

WELSH GRAND COMMITTEE

Ordered,

That—

(1) the matter of the Future of energy in Wales, being a matter relating exclusively to Wales, be referred to the Welsh Grand Committee for its consideration;

(2) the Committee shall meet at Westminster on Wednesday 18th June at Nine o'clock and between Two o'clock and Four o'clock to take questions under Standing Order No. 103 (Welsh Grand Committee (questions for oral answer)) and to consider the matter referred to it under paragraph (1) above.—*[Mr. Alan Campbell.]*

PETITION

Post Office Closures (Shropshire)

10.20 pm

Daniel Kawczynski (Shrewsbury and Atcham) (Con): My hon. Friend the Member for Ludlow (Mr. Dunne) and I have been campaigning hard to try to retain as many post offices in Shropshire as possible, but this evening I wish to present a petition on Ditherington—an appropriate name for the Prime Minister—post office in Shrewsbury. I have worked with the leader of the Labour party in Shrewsbury, Councillor Mosley, and the local Conservative councillor, Malcolm Price, to try to retain Ditherington post office, which is vital, providing the services that it does.

The petition states:

The Petition of users of Ditherington Post Office

Declares that the plan to close five Post Offices in the Shrewsbury and Atcham constituency will have a detrimental effect on the lives of local residents. The local Post Office is a vital and integral element of the local community, supporting social interaction between residents. They should not simply be assessed on an economic basis without taking into consideration the social economic value they offer to the local community. The proposed partial replacement of three of the Post Offices earmarked for closure by a mobile vehicle with restricted hours, and in some cases parked on the side of roads or in lay-bys, is a substandard solution not benefiting the world we live in today.

The Petitioners therefore request that the House of Commons urges the Government to instruct Post Office Ltd. to ensure that Ditherington Post Office is kept open.

And the Petitioners remain, etc.

[P000199]

UK Water Sector

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Alan Campbell.]*

10.21 pm

Linda Gilroy (Plymouth, Sutton) (Lab/Co-op): I am grateful for the opportunity to hold this debate. The future of the water industry affects many areas of the public and private sectors, including the private citizen mindful of the water bills he or she pays; the farmer concerned about the possibility of drought; the community worried about the risk of flooding; the architects and planners building to meet the demand for housing; and the Government in co-operating with other nations to ensure worldwide access to clean and sustainable supplies of water.

Earlier this year, the all-party parliamentary water group concluded its investigation into the future of the UK's water industry. I want to put on record the help we received from eaga plc, the Society of British Water and Wastewater Industries, Unison, Water UK, Wessex Water, the Consumer Council for Water and WWF-UK.

I am pleased to see that, in addition to my hon. Friend the Member for Plymouth, Devonport (Alison Seabeck), some members of the all-party group are in their places, including my right hon. Friend the Member for Scunthorpe (Mr. Morley) and the hon. Member for St. Ives (Andrew George), who both took part in the inquiry.

The fact that representatives from more than 70 different organisations—ranging from business and industry to trade unions and consumer groups, scientists and environmentalists—attended the report's launch is testament to the importance of this issue. We produced a range of conclusions and recommendations touching on many areas. However, today I wish to focus on affordability and the future of metering and charging. I hope to allow a little time for my right hon. Friend, the chairman of the all-party group, to add more about water services and management and issues relating to drought and flooding.

I make no apology for the fact that for me the imperative remains affordability, which is at the top of our agenda in the south-west. People face rising fuel prices, and other cost-of-living pressures, set against the backdrop of the credit crunch—difficult economic circumstances which our Government are well placed to guide us through. Water is not a luxury but a necessity, and for that reason we must do all we can to ensure that the regulatory framework bears down on what it costs our constituents. The Minister will know that I have long campaigned on the issue of unfair water charges in the south-west, caused by the botched privatisation by the Conservative Government, which means that our average household water bill is £100 more than elsewhere in the country. Where are the Conservatives tonight?

For elderly individuals living alone on a basic pension or for lone parents with young children, water bills can be a struggle regardless of where they live. The fact is that high water charges often affect most those individuals and groups least able to cope. There are close links between water affordability and water

[Linda Gilroy]

efficiency, so in addressing affordability there are opportunities to dovetail well with the Government's environmental agenda.

From 1997 onwards, the Government have shown sustained commitment to tackling fuel poverty. Under the Warm Front scheme, representatives visit customers to advise them of ways they can reduce their energy bills, install energy-saving features, such as cavity insulation, and undertake benefit entitlement checks. In my constituency, the scheme has visited 2,832 households, saving them each an average of £200 on their fuel bills.

As the Minister knows, the Warm Front model was used for a similar scheme in the water affordability pilot that was carried out in the south-west. That small study of 520 households managed to find savings of more than 10 times the cost of providing the service. We can imagine the savings that could be made if such a scheme were rolled out nationally. South West Water has since built on that work through its water care scheme, which will help 7,500 customers over three years and is the first of its type in the water industry. I think that Wessex Water has a similar scheme.

I know that South West Water—Water UK has also raised the subject on behalf of the industry in general—would appreciate the same access to data sharing about people on low incomes as the Government proposed this past Friday to explore for energy companies. I hope that the Minister will raise that with his colleagues. In addition to helping to target the schemes that the water industry is introducing, such as the water care scheme that I just mentioned, such a measure could help to turn around the vicious circle of high debt that costs us all £11 per customer nationally.

I think I am right to say that up to 40 per cent. of household energy is used to heat water. An ideal solution would therefore seem to be to combine the Warm Front and water care schemes, with representatives trained to advise on both water and energy efficiency in the same visit. The better we target such help, the more likely it is to create a virtuous circle that will enable water bills to be kept down.

Andrew George (St. Ives) (LD): The hon. Lady is making a strong case. Of course, she is absolutely right to say that when the water industry was first privatised it created a relatively risk-free environment for what I would argue was a money-extortion exercise, particularly in areas such as the south-west. For elderly customers, that is a particular problem. Does the hon. Lady agree that in households where occupants are unable to install a water meter, and particularly in houses in multiple occupation, companies should always adopt a default position of going for the assessed charge in order to reduce the water bills for those very low income households?

Linda Gilroy: The hon. Gentleman makes a relevant point. There are many examples of sheltered housing in my constituency, as well as elsewhere in the south-west and all over the country, where such a move could significantly benefit many older people.

Schemes and innovations such as water care can help individuals to save money. The all-party group also recommended fundamental changes to the manner in which water is provided and paid for. The most significant was our call for the phased introduction of universal metering. Indeed, in response to water charges many consumers are already switching to metering by choice. Unsurprisingly, we have seen that in particular in the south-west, where I think some 65 per cent. of consumers—about 13 out of 20—have switched to metering by choice. That has resulted in the development of a two-tier water payment system, leaving those who do not switch at a further disadvantage.

Smart meters, or intelligent meters, present an exciting opportunity to tackle these long-neglected issues. Again, co-operation with the energy industry, which I believe to be likely to introduce smart metering, ought to provide some savings in that regard if it is tackled soon. Many believe that tariffs tailored to the circumstances of the customer could not just deal with some of the supply and demand issues, but could address issues of affordability for many customers.

I am, of course, aware that the Department for Environment, Food and Rural Affairs is conducting a review of the future of metering and charging. I hope that the Minister will update us on the progress of the review and I would be grateful if he would give the House an indication of when it is expected to report.

I would also appreciate hearing the Minister's assessment of how far the review will go towards finding a solution to the affordability issue. Does he share my view that it could indeed provide light at the end of the tunnel for some of those constituents burdened with high bills? Of course, if that is a solution, it is a medium to long-term one, and while making water charges fairer and possibly lower for more people, we need to be realistic about the fact that there will be losers as well as winners. Some of those losers could be among the least well off if they are not protected. I am thinking especially of large families and those who need to use larger quantities of water for health reasons.

In addition to ensuring that we make the most of the vulnerable persons regulations, I hope that the Minister will consider the all-party group's call, which has also been made by the Consumer Council for Water, for changes to the tax and benefits system to support those who are struggling most to pay for water. That should be much more affordable to the Exchequer if, through the combination of measures that I have mentioned, we can reduce the extent to which they are needed.

I also support CC Water's call to limit price rises. It has recently written to all water and sewerage companies in England and Wales to ask them

> "to return value to consumers, either by keeping price increases to inflation levels or below, or providing extra investment in pipes, sewers and treatment works that will provide future consumer benefits... We know that the industry did very well from the 2004 price review, as there was a rapid rise in value of companies and that for the first time since privatisation no water companies appealed against the price limits set by Ofwat".

I hope that the Minister will also look at our report's recommendations on the vulnerable group regulations. Our report found that the regulations were not working as well as they could. The principal problem is that the WaterSure scheme is not reaching very many people—only 16,200 households nationally, according to the last figures in 2006-07. Not surprisingly, a substantial proportion of that number—3,800, or almost a quarter—

are in the South West Water area, which covers Devon and Cornwall's population of just 1.5 million of England's total population of 50 million.

Our all-party report recommended that the definition of customer service be extended to include vulnerable customers and be included in the PR09 price-setting review as a specified performance target. The regulator could then set goals for the companies to be proactive in reaching out to vulnerable customers on that and other aspects. I hope that the Minister is giving serious consideration to encouraging the regulator.

Action on water charges for vulnerable customers is long overdue. Water bills have risen a lot in the past two decades. Although there have been very significant benefits to our environment, infrastructure and tourism industry through increased investment, too many people are struggling to pay bills that are unacceptably high. As things stand, the problem looks set to get worse, as shown by DEFRA's 2004 study of affordability. If that is allowed to continue, more people will fall into more debt, and as a result large bills will become larger still as companies seek to reclaim the money owed.

The Minister must not only find a long-term and comprehensive solution to break this vicious cycle, but consider improving short-term safeguards to protect the most vulnerable. I look forward to his response and to hearing from my right hon. Friend the Member for Scunthorpe.

10.33 pm

Mr. Elliot Morley (Scunthorpe) (Lab): I congratulate my hon. Friend the Member for Plymouth, Sutton (Linda Gilroy) on securing this debate. I pay tribute to her for her role in the inquiry and as the former chair of the all-party water group, in which she was held in very high esteem, and I include the long campaign that she has fought in robustly defending the interests of the people of the south-west.

I want to make a number of short points. First, I echo the point made about affordability. One of the reasons why I strongly support the conclusions on water meters is not only in respect of resource management, important though that is, but in trying to find a more imaginative way to put in place price structures. Various forms of tariff structures could provide an opportunity to assist those people who are on low incomes.

I strongly echo the point made about the pilot scheme in the south-west, with eaga identifying people who could also claim benefits. There is strong link between water and fuel poverty, and my hon. Friend made that point very clearly.

I should also like to mention the part of the report that dealt with innovation. As my hon. Friend says, there is great scope for innovation as regards the possibility of saving heat when heating water, and in relation to the way water is treated; I am thinking of grey water systems and the recycling of water. There are some very good examples, but a great deal more could be done. There is an issue with research and development on the part of industry.

My final point is linked to resource management. The report focused strongly on the fact that there can be environmental gain from resource management, through upland catchment management, which has been pioneered in trials such as the SCAMP—Sustainable Catchment Management Programme—project, and through the extension of sustainable urban drainage, which has a great deal of unfulfilled potential. I acknowledge that the Department for Environment, Food and Rural Affairs consultation put forward the idea of a planning permission system for those who want to pave over gardens and do away with porous paving. That was a good example of innovation and how to encourage sustainable water management. A great deal more could be done.

One of the report's conclusions is that water has been taken for granted for far too long in this country. It is an important resource and its importance needs to be taken more seriously. It is a valuable resource, and that has to be reflected in the way it is managed and in what we are charged for it. I know all the arguments about the need for profits and investment, but at a time of extremely robust profits for the companies, consumers are facing a significant increase in prices, and we need to have a thought for the most vulnerable.

10.36 pm

The Minister for the Environment (Mr. Phil Woolas): I congratulate my hon. Friend the Member for Plymouth, Sutton (Linda Gilroy) on securing the debate and putting forward a strategy for water that successfully builds a consensus for radical change. I also congratulate my right hon. Friend the Member for Scunthorpe (Mr. Morley). The issue of how we regulate, manage and charge for our water resources and sewerage services is extremely important, and I am grateful for the opportunity to set out the Government's policy.

2008 is an important year for water policy. In February we published a new water strategy for England. We called it "Future Water". It set out the Government's long-term vision for the water sector. I am keen on having a long-term strategy—a 25 year-plus approach to the sector. The policy sets out a coherent framework underpinning water management commitments and outlines the Government's priorities for the sector. The timing of the debate is therefore fortunate.

The policy sets out a vision of what the sector should look like by 2030 and the steps that we believe will get us there. It looks at the water cycle as a whole, from precipitation, rain and drainage through to treatment and discharge by the water companies. It is founded on the understanding, based on scientific advice, that every action that affects one part of the water environment can potentially have an impact elsewhere. We have a genuinely holistic water policy.

Of course the challenges for sustainable delivery of secure water supplies are significant. Combined with that is the challenge of securing continued improvements to our water environment. As if that were not enough, projections of the impact of climate change and other pressures are now business as usual for the sector. It was therefore a great pleasure to welcome the report from the all-party group on water, which was a timely and powerful contribution to the debate. It rightly emphasises the importance of communicating the value of water to consumers—a point that my right hon. Friend the Member for

[Mr. Phil Woolas]

Scunthorpe repeated tonight. That is a central theme of "Future Water". Because of our need to adapt to climate change, and because we use more water through having more water-intensive lifestyles as economic prosperity rises as a result of successful economic policies and hard work by the British people, we need to consider using water more efficiently and, more importantly, more sustainably.

The way in which we pump, treat and clean water has been mentioned. The way we heat water has implications for energy use. I am determined that our water strategy should dovetail with our energy efficiency strategy, lowering heating bills as well as water bills. We have an opportunity to do that.

I want to move faster on metering. If it is done properly with social tariffs and other schemes to ensure that we use less water, metering can reduce water use in a fair way. Questions exist about the timing of implementation, the technology, the pace of the roll-out and the impact on customers. I shall return to those topics if time allows.

Andrew George: Although I do not imagine that the Government will address the fundamental problem of the privatisation of the water industry, which is clobbering customers in my area and in the area of the hon. Member for Plymouth, Sutton (Linda Gilroy), if the Minister follows his policy through, he will recognise that in an area like mine with a large number of second homes, those customers clearly benefit a great deal from having water meters, rather than paying by other means. Is he not concerned that not only is there a severe problem of water poverty, but metering is a way of rewarding people who should be paying more?

Mr. Woolas: I commend the hon. Gentleman. The Members of Parliament for the region have done a great job of highlighting the issue. He is right. We have passed the tipping point. Generally—one can only generalise, as it is not possible to be specific about individual households—people not on meters are subsidising people who are on meters. That is especially true in his region and that of my hon. Friend, but it is true around the country. One of the reasons why I look forward to the findings of the independent review that we announced is getting the figures from the research to give us a better understanding of that point.

The all-party group, which my right hon. Friend the Member for Scunthorpe and others have led, has given us important evidence on that point. There are other issues that the report has raised. I particularly want to mention the work on catchment-sensitive farming, which the report examined. It also raised the issue of surface water drainage and the slow take-up of sustainable urban drainage systems. One aim of the consultation on improved surface water drainage that was also part of the "Future Water" strategy was to clarify responsibilities for adoption and management of SUDS, on which my right hon. Friend has been leading the charge for many months and years. The report also welcomed the independent review of competition and innovation in the water industry.

The reviews were not undertaken because we do not know where we are going. They were designed to tell us how to get to where we want to be. The most important issue, which my hon. Friend the Member for Plymouth, Sutton has continued to champion, is charging for water and sewerage services. Only 30 per cent. of households in England have meters. That means that in the majority of cases, charging for water is based on the 1970s rateable value of homes. That does not bear any relation to the amount of water used.

Metering is the usual method of charging for water in most other European countries—and, indeed, beyond European boundaries. It encourages water efficiency, exposes leaks on the domestic side of the supply pipes and reduces overall household water consumption by 10 per cent. That could be reduced further with the right tariff. In England, metering is increasing at about 2 per cent. a year; obviously, at the moment that happens predominantly through customers' own choices. There is a clear case for meters in areas of serious water stress, and we will need meters to be near-universal in such areas by 2030, if not before. Outside such areas, the case for meters is also strong, on the basis of equity. I look forward to the review's findings and to seeing whether the policy will be confirmed.

Metering and innovative tariffs are an important weapon in our armoury. However, that is not enough to satisfy my hon. Friend the Member for Plymouth, Sutton. She is looking for other solutions, particularly for the vulnerable and those on low incomes. As more and more householders switch to meters because they might save money, there are transitional problems for those left behind who do not switch. I am thinking particularly of large families on low incomes. I look to the independent review that we have commissioned to provide answers and options in respect of that policy area as well. That will look beyond the current charging framework and advise on changes that could create fair and cost-reflective charges with protection for those vulnerable households. I plan to get the review under way shortly. Its findings will herald the most significant changes in charging since privatisation.

I also want to mention the periodic review of water price limits—or PR09, as it is known. That process, led by Ofwat, is well under way. Draft business plans are expected from companies in August. As part of the process, last year I published a statement of obligations for companies and regulators to bring together and describe the environmental and drinking water legislation applying to the water industry over the PR09 period. Other influences include "Future Water", which I have already mentioned. It sets out not only the Government's plans for 2030, but the statutory social and environmental guidance to Ofwat on the areas of social and environmental policy to which the Government expect Ofwat to contribute.

All such considerations have to be placed in a long-term agenda. That is why I particularly welcome the addition by Ofwat of a 25-year strategic direction statement. Furthermore, water companies are planning water resources over a 25-year horizon. Combined with robust business planning through the price review process, that should ensure that companies are prepared for the future. I look to Ofwat to ensure that price limits are as high as they need to be—but no higher—to enable companies to finance their functions.

Affordability continues to be a key concern for the Government; I appreciate the particular problem with affordability in south-west England. Customers there have to pay more for their water and sewerage services than do customers of other regions. As has been said, that situation developed out of privatisation, which required each customer to pay for the costs incurred by their water company. What is to be done? My hon. Friend will be aware of the pilot study that considered ways to target and assess the effectiveness of water affordability assistance in the form of benefit entitlement checks, meter installation and water efficiency devices and advice to low-income households in the south-west. I am pleased that, as my hon. Friend reported, South West Water is taking those measures further and is seeking to provide such a service to 7,500 of its customers.

I am also considering the issue of bad debt. Of course I understand that there are those who cannot pay, but I am not prepared to accept the situation whereby those who will not pay are putting up the bills for the rest of my hon. Friend's constituents.

Linda Gilroy: I am not sure if my hon. Friend is going to cover my point about data sharing, but does he recognise that that would help companies to distinguish between the two categories?

Mr. Woolas: My hon. Friend predicts my next statement. I do indeed recognise the importance of data sharing. It is wrong that companies cannot identify tenants through access to information from landlords. I am examining the situation to deal with not only those who cannot pay but those who will not pay and are abusing the system and putting up the bills of my hon. Friend's hard-working, law-abiding constituents as a result. I have talked to the water companies, including South West Water, to see how we can incorporate that. I refer my hon. Friend to the draft Queen's Speech, which included a proposal for legislation on water and flooding. I make no specific pledges on the point that she made; suffice to say that I think she can draw her own conclusions. I congratulate her on her campaign, as well as other hon. Members across the party divide.

Question put and agreed to.

Adjourned accordingly at nine minutes to Eleven o'clock.

House of Commons

Tuesday 3 June 2008

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

TRANSPORT

The Secretary of State was asked—

Dartford River Crossing

1. **Mr. Adam Holloway** (Gravesham) (Con): What estimate she has made of the average delay caused by congestion to commuters and commercial vehicles using the Dartford river crossing. [207971]

The Minister of State, Department for Transport (Ms Rosie Winterton): The estimated delay affecting vehicles travelling the five miles between the A13 north of the river and the A2 to the south using the Dartford river crossing is about three minutes northbound and two minutes southbound. That is the average for the period between 6am and 8pm; delays at peak times are longer.

Mr. Holloway: I think my constituents would agree with the Minister that delays at peak times are considerably longer. That marvellous, comfortable picture does not reflect what is a daily reality for thousands of them. I wonder when the Minister will do something to alleviate the daily misery and cost incurred by millions of people who spend, I would guess, hundreds of thousands of hours each year sitting in traffic jams because of the tolls.

Ms Winterton: Obviously, congestion at peak times is an issue, but all the evidence suggests that without the tolls it would be even worse. The Dartford crossing is a vital part of the national road network, and is used by about 150,000 vehicles every day. In the longer term the answer may be a new crossing, which is why we have commissioned a study.

Andrew Mackinlay (Thurrock) (Lab): My constituents, and those living opposite us in Dartford, look forward to the long-promised concessions for our communities to which the Government have committed themselves in respect of the toll, but may I urge my right hon. Friend to act on the second crossing? United Kingdom Ltd demands—needs—an opportunity to gain access to the channel ports and the north of our country, not just via the Dartford crossing but via a crossing on the Thames estuary east of Dartford. The sooner the Government address that need, the better it will be for the commerce of the United Kingdom as well as the minimisation of congestion and pollution in Dartford and Thurrock.

Ms Winterton: I am probably more aware than most of the strength of my hon. Friend's feeling about discounts for local residents. He has certainly pressed his case very effectively. As for the options for a new crossing, as I have said, a study is being conducted, and we expect a report at about the end of the year.

Mr. David Evennett (Bexleyheath and Crayford) (Con): I noted the Minister's response to my hon. Friend the Member for Gravesham (Mr. Holloway), but does she consider that the proposed local discount scheme is fair to my constituents and the other residents of east Bexley who are not to be included in it, given that they live closer to the Dartford crossing than some Dartford and Thurrock residents? Or is this just another example of Bexley being let down by Labour?

Ms Winterton: We set out the reasons for our proposals in our consultation document. As the hon. Gentleman probably knows, we propose to base the scheme on the boundaries of the two local authority areas on either side of the crossing, as they include the most affected locations. Our aim is to adopt an approach that is proportionate and provides clarity on eligibility. I shall announce our conclusions shortly, following the consultation.

Mr. Michael Fallon (Sevenoaks) (Con): Is it not a strange coincidence that both councils nearest to the bridge where residents will travel free happen to be in marginal Labour constituencies? Other commuters in Kent who live just as close to the bridge will now have to pay higher tolls.

Ms Winterton: I am sorry that the hon. Gentleman should want to make a party-political point out of a very serious issue. I should also point out that the two councils involved are Conservative controlled.

Mr. Julian Brazier (Canterbury) (Con): The Minister is referring to county councils, whereas my hon. Friend was referring to marginal parliamentary constituencies. There is an obvious distinction.

The study that the Minister has announced is welcome, but will it include the Thames Gateway expansion plans and, more specifically, the slightly confusingly named Thames Gateway port expansion plans? When the port is redeveloped—as I assume it will be—it will generate a large amount of HGV traffic.

Ms Winterton: As I said, the study that is looking at the options will report by the end of the year, at which point we will be able to give more details about the way forward.

Roads (North-West)

2. **Sir Nicholas Winterton** (Macclesfield) (Con): What recent assessment she has made of the adequacy of the road infrastructure in the north-west of England, with particular reference to south Manchester and north-east Cheshire. [207972]

The Parliamentary Under-Secretary of State for Transport (Mr. Tom Harris): We are working closely with regional partners and local authorities to deliver improvements to the whole of the north-west transport network, including the road infrastructure.

Sir Nicholas Winterton: Does the Minister, for whom I have a great deal of respect, accept that my constituency of Macclesfield in north-east Cheshire does not receive a fair allocation of resources for road infrastructure improvement? Does he agree that improved road infrastructure can lead to increased economic development and activity and can reduce carbon emissions in the community? Will he look at the situation in south Manchester and north-east Cheshire to see whether a fairer allocation of resources can be provided?

Mr. Harris: Obviously I am grateful to the hon. Gentleman for his kind words. I agree that good road infrastructure is essential to the health of the economy and of the environment, but, as he will probably know, road spending in the north-west has more than doubled since 2000. The south-east Manchester multimodal study, commissioned by my right hon. Friend the Member for Warley (Mr. Spellar), has come up with possible solutions for the south-east Manchester relief road. That is a very expensive project—costing possibly between £700 million and £1 billion—and it cannot go ahead as a single scheme. We are looking at progressing parts of that scheme in phases. He will know that a crucial part of that is the Poynton bypass in his constituency. We are working very hard with all representatives in the local area to come up with an affordable proposition. But to claim that the Government have not spent enough money on road infrastructure in his constituency, or anywhere else in the country, would be false.

Andrew Stunell (Hazel Grove) (LD): The hon. Member for Macclesfield (Sir Nicholas Winterton), my hon. Friend the Member for Cheadle (Mark Hunter) and I are the parliamentary shareholders in the road scheme to which the Minister refers, which would complete the road network in my constituency in particular. Is he now in a position to take up the offer that his predecessor made to visit the site and to see what is needed to relieve congestion and pollution in my constituency?

Mr. Harris: I am always happy to visit the constituency of any hon. Member. If he wishes to make a formal invitation to my private office, I shall be more than happy to consider it. I hope that, during such a visit, he will find that the resources invested in transport infrastructure in the north-west and other parts of the country have well exceeded those of all our predecessor Governments.

Mark Hunter (Cheadle) (LD): Does the Minister understand the very real frustration of residents in my constituency who are concerned about the apparent lack of progress on the completion of the A555 relief road? Does he further understand that the unique factor in the completion of the scheme is that the middle section was built many years ago and simply needs connecting at each end? Without that completion, it will be a permanent testimony to the folly of short-term transport planning.

Mr. Harris: Of course I understand the frustration felt by constituents and MPs on both sides of the House when a particularly important road scheme is not progressed according to the time scale that we originally expected. As the Government, we have to make sure that whenever a road scheme is progressed, it delivers best value for money. Regardless of the record amounts of money that the Government are investing in road infrastructure, we have to make sure that every pound is well spent. I notice that the transport plans issued by the hon. Gentleman's party today do not offer much extra money on top of what we have already offered.

Integrated Transport Authorities

3. **Mr. John Leech** (Manchester, Withington) (LD): What assessment her Department has made of the effects on local government accountability of extending voting rights to all members of integrated transport authorities. [207973]

The Minister of State, Department for Transport (Ms Rosie Winterton): The Local Transport Bill allows local authorities to devise proposals on the membership of integrated transport authorities in their areas. However, a majority of each ITA's members must be elected councillors. Authorities would also be able to propose whether non-elected ITA members have voting rights.

Mr. Leech: Does the Minister accept that the only way to ensure real democratic accountability and to avoid the possibility of the political gerrymandering of ITAs is to deprive non-elected members of any voting rights?

Ms Winterton: I do not think that that is the way forward. Under the Bill, ITAs determine locally whether they want to have people other than elected members on the authorities and, if so, whether they have voting rights. We believe that that is the right approach to enable, for example, passenger or other representation on ITAs. I have discussed that with passenger transport executives, and the hon. Gentleman should take a slightly broader approach.

Mr. John Grogan (Selby) (Lab): Will my right hon. Friend press on strongly with her plans for integrated transport authorities? They are exciting real enthusiasm in Selby with the prospect of MetroCards, which could enable travel across the whole of west Yorkshire.

Ms Winterton: I thank my hon. Friend for that encouragement. I know that he, unlike the Opposition, has been a great supporter of what we are trying to do in the Local Transport Bill, particularly to enable greater improvements to our bus services. I thank him for his support.

Climate Change

4. **Mark Lazarowicz** (Edinburgh, North and Leith) (Lab/Co-op): What account she takes of climate change in formulating transport policy; and if she will make a statement. [207974]

The Secretary of State for Transport (Ruth Kelly): We need to move from a fuel-intensive economy to one that is low carbon. That is why climate change is now one of the five overarching goals of transport policy. It is also why we take account of the cost of carbon when making policy decisions, and why we are looking at many further options for reducing transport emissions.

Mark Lazarowicz: I welcome what the Secretary of State has to say, but is that commitment not somewhat undermined by the Government's commitment to airport expansion? Given that their own Sustainable Development Commission has recently called for a fundamental review of the air transport White Paper and for decisions on Stansted and Heathrow to be put on hold until that happens, would it not make sense for them to rethink their position? After all, the current trend in fuel prices may well do more to restrain air travel than anything that we do in our legislation. Should we not have a rethink along the lines called for by the commission?

Ruth Kelly: I know how committed my hon. Friend is to the idea that the UK should play a full role in combating climate change, and I agree. The question for the House is: is combating climate change and reducing carbon dioxide emissions overall, across all sectors of the economy, compatible with the growing aviation sector? I and the Government believe that it is, and we are championing in Europe a European emissions trading scheme whereby any increase in aviation emissions above the 2004-06 base level would have to be matched one for one by a reduction in carbon emissions elsewhere in the European economy, paid for by the aviation sector. In that way, not only do we help to push forward with our climate change objectives; we do so in a way that is compatible with future economic growth.

Mr. Greg Knight (East Yorkshire) (Con): When the Secretary of State formulates transport policy, will she also take into account the report by Professor David Newbury of Cambridge university, which said that if motorists were obliged to pay the true cost of the effect that vehicles have on the environment, they would be paying taxes at less than half the rate they are currently paying? In the light of this information, will the Secretary of State therefore now abandon her unpopular and misguided plan to introduce local charging schemes in the interest not only of fairness, but—because we care about her—of saving her own seat?

Ruth Kelly: I am delighted that the right hon. Gentleman cares so much about my electoral prospects in Bolton, West. I have to think about how we combat climate change in a way that, yes, is compatible with economic growth but that also helps us to cut congestion. He points to the rate of fuel tax and puts that in the context of the carbon cost, but we also have to think about the impact of traffic on the roads, which undermines economic growth, too. All our growing cities across the country have grown very strongly in the past 10 years, and they have to ask themselves how they can continue to support that economic growth over the next 10. To do that, they will have to think of innovative ways of dealing with congestion. We have said to cities and towns across the country that if they come forward with innovative plans, we are prepared to back that with hard cash.

Dr. Gavin Strang (Edinburgh, East) (Lab): We should certainly take our share of the credit for the Kyoto treaty, but does my right hon. Friend not agree that we must address the fact that greenhouse gas emissions from international aviation remain unregulated? I note what she said about a European carbon emissions trading scheme. Can she indicate what other steps the Government are taking to change this state of affairs?

Ruth Kelly: Yes, it is right that not only do we push ahead with the European trading scheme—it will set an absolute cap on aviation emissions across Europe, counting not only emissions created within the eurozone, but all planes leaving from Europe and arriving in Europe, and will make a substantive contribution to climate change—but, importantly, that, within that, we think about how to create efficiency in aviation. That means encouraging future investment in technology and creating incentives to use airspace better, which is why we are working towards a single European sky and working with traffic control services to ensure the most efficient air traffic control in each country.

Adam Price (Carmarthen, East and Dinefwr) (PC): Some 70 per cent. of the Scottish Government's transport budget is spent on sustainable public transport, and the Welsh Assembly's Sustainability Committee has urged the adoption of a similar target for Wales. How well is the Secretary of State's Department doing on the breakdown of expenditure between public transport and roads?

Ruth Kelly: Rail usage has increased by almost 50 per cent. since 1997, whereas traffic has increased by 12 per cent, and those figures speak for themselves. We are making unprecedented levels of investment in rail, and we intend to continue that with up to £15 billion of investment over the next five-year period. As a result, we have the fastest growing railway in Europe. Looking beyond that, we can see very exciting opportunities for reopening or making more use of lines and for encouraging more people to abandon their cars and think about alternative ways of moving around.

Stephen Hammond (Wimbledon) (Con): The Secretary of State will know that rail freight accounts for only 2 per cent. of all freight transport emissions and that every tonne of freight carried by rail is estimated to produce at least 80 per cent. less carbon dioxide emissions than if road were used. Why then was there no high-level output specification—HLOS—for rail freight? Why have the Government failed to announce any funding for their strategic freight network?

Ruth Kelly: The hon. Gentleman has simply not read the rail White Paper, which allocated £200 million towards a strategic rail freight network across this country. He has also not noticed that I announced plans this morning to reject larger, so-called super-lorries on British roads. I did that—I know that his party has supported that policy in the past—not only because of the impact on the environment, but because such lorries might attract traffic from railways on to roads. We need to examine these things in the round and make sensible investment decisions, judging the impact on safety, but also considering the impact on carbon emissions and congestion.

Clive Efford (Eltham) (Lab): My right hon. Friend will be aware of the contribution that traffic congestion makes to emissions and climate change. May I draw her attention to the fact that we face a problem in south-east London at the Blackwall tunnel every day, and that a three-bridge scheme proposes to deal with it? I understand that the Mayor of London is not going to build the Thames Gateway bridge. Some of us have been saying that the Silvertown link should be prioritised, and this situation gives the opportunity for that to take place. Will she examine the matter and discuss it with the Mayor of London? Will she also take the opportunity to bring the Docklands Light Railway to North Greenwich, as it could then be moved on to Eltham, thus reducing the traffic congestion on this major arterial route?

Ruth Kelly: My hon. Friend makes a very important point; we need to think about how we can encourage mobility from the south of the river to the north of the river and vice versa. We need to make it easier for people to be able to work on one side of the river and live on the other. I know that the Mayor of London has suggested innovative proposals, such as swinging cable cars across the river, and it is right that we examine all proposals on their merits. I shall take up my hon. Friend's suggestion to discuss this matter in greater detail with the Mayor of London in due course.

Bus Companies

6. **Andrew George** (St. Ives) (LD): What recent assessment she has made of the regulatory burden on bus companies. [207976]

The Minister of State, Department for Transport (Ms Rosie Winterton): The Government are committed to cutting unnecessary regulatory burdens on business wherever possible, including on the bus industry. However, that must be balanced with the passenger's right to a safe and reliable service.

Andrew George: But can the Minister do nothing about the daily occurrence of what can only be described as a sketch from a "Carry on" movie taking place across rural areas? Passengers are forced to get off buses and get back on buses and repurchase tickets every 30 miles because the Government failed to secure a common-sense derogation from EU regulation 561/2006, which sets maximum targets in respect of bus drivers. Does this not simply play into the hands of certifiable ranters in other political parties, who—rightly, on this occasion—decry the rather bizarre micro-management that such regulations present?

Ms Winterton: I remind the hon. Gentleman that the new EU rules do not limit the length of a bus route, but introduce improved safety requirements to do with the length of a driver's working week, to ensure proper weekly rest periods. We should support that, because of the huge safety implications. However, I know that concerns have been expressed about some of the ways in which that has been operated, and that is why the Under-Secretary of State for Transport, my hon. Friend the Member for Poplar and Canning Town (Jim Fitzpatrick), met representatives of the Confederation of Passenger Transport, the trade association for the bus and coach industry, to explore the industry's concerns and consider possible solutions within the constraints of the EU drivers' hours regulations. This is a safety issue, but we are considering the problems with interpreting the practical application of the regulations.

David Taylor (North-West Leicestershire) (Lab/Co-op): Is not there at least one respect in which the regulatory framework for bus companies should be tighter? I refer to the lack of an obligation to retrofit older buses to enable disabled access. In rural parts of Leicestershire, where traffic on buses is low, the economic pressure on the company to provide disabled access is much lower. Should we not aim for an earlier implementation date of these important regulations?

Ms Winterton: My hon. Friend makes an important point about the accessibility of buses for disabled people. As he says, there is a programme of improvement. I am heartened when I see the many new buses that are being introduced with proper disabled access. The requirements will change, and another important factor will be the Local Transport Bill, which is making progress through Parliament at the moment. The Bill will enable local authorities to work with bus operators much more closely on such issues, and it is very disappointing that Conservative Front Benchers oppose it and all the improvements that it will bring.

Mr. Henry Bellingham (North-West Norfolk) (Con): Does the Minister agree that the driving times and rest periods directive, which sets out the so-called 50 km rule, is completely unsuitable for and irrelevant to rural areas? Is she aware that a young dynamic company in my constituency, Norfolk Green, has told me that if the directive is implemented as it stands, the company will have to axe various new rural services? Will she not stand up for rural bus routes and companies?

Ms Winterton: It was this Government who introduced the rural bus subsidy—now some £55 million a year—so we will not take any lectures from the Opposition about supporting rural bus services. As I have said, the EU rules are about safety and drivers' rest periods, but my hon. Friend the Under-Secretary has met representatives of the industry to discuss their concerns and will look at possible solutions.

Active Traffic Management

7. **Mr. John Spellar** (Warley) (Lab): What progress has been made on the introduction of active traffic management on the motorway network; and if she will make a statement. [207977]

The Secretary of State for Transport (Ruth Kelly): Last year, I announced the extension of hard shoulder running to parts of the M6 around Birmingham. This scheme is due to be open to traffic in summer 2011. The Department and the Highways Agency are examining in detail where hard shoulder running should be implemented more widely on the motorway network. This work is expected to be completed by the end of the year.

Mr. Spellar: May I partially thank the Minister for that reply? Does she agree that the active traffic management on the M42 in the west midlands has brought lower congestion, lower carbon emissions, lower pollution and fewer accidents? Therefore, does she regret that the deadbeats in the Highways Agency and her Department should have ensured that those considerable benefits for motorists were delayed? Is not she appalled that those same useless officials are still delaying the roll-out to 2011 and beyond? When will Ministers get a grip on that lot?

Ruth Kelly: I commend my right hon. Friend for his great advocacy of active traffic management, even though I cannot condone the expressions he used in relation to officials in the Highways Agency and the Department. When he was a Transport Minister, he was a great champion of active traffic management. Indeed, it was under his leadership that the first trial of active traffic management and hard shoulder running was initiated around the M6 in Birmingham. I commend him for that.

It is right that we should press on and try to secure as quickly as possible the huge benefits that can be secured, not necessarily by widening our motorways, although they might have to be widened in some cases—as with the recent announcement about the M25—but by using active traffic management and hard shoulder running wherever they can be used across the entire network. That is why I have asked officials to examine in detail where it might be applicable and where we might have the earliest openings. The Birmingham box will lead through to the next phases by the summer of 2011, and I hope to make further progress quickly thereafter.

Mr. Andrew Mackay (Bracknell) (Con): Does the Secretary of State accept that the biggest traffic management problem on our motorways is the delay in clearing up after often quite minor shunts? That causes terrific frustration, and is much worse here than anywhere on the continent. She has promised in the past to do something about it, but frankly no one thinks that anything has been done to date. Can she give me some reassurance this afternoon?

Ruth Kelly: I certainly can. The right hon. Gentleman must be aware that it was the Government who introduced traffic officers to our motorway network in recent years. Traffics officers have had measurable success in restoring moving traffic after accidents have occurred—

Mr. Mackay *indicated dissent.*

Ruth Kelly: I am surprised that the right hon. Gentleman shakes his head—they are extremely popular among those who come across them on their daily motorway journeys.

It is right, too, that we should make faster progress. Collision accident equipment, for instance, which is now being routinely used by the Highways Agency, will also have an impact, as will the information that is now routinely given to drivers on overhead gantries. We give them information about what routes are best to use and where congestion is likely to occur. The point is that the motorway system ought to be seen as a system. We ought to think about how to manage it and how to manage traffic flows as best we can. That is why active traffic management, which regulates speed as well as opening up the hard shoulder, is the right way forward.

Mr. Jim Devine (Livingston) (Lab): The role of the DVLA is very important in traffic management. Is my right hon. Friend as concerned as I am about the fact that the DVLA is selling the addresses of my constituents to security companies—

Mr. Speaker: Order. I must gently say to the hon. Gentleman that he keeps doing this and he will be stopped. He must keep confine his comments to the Question. He does this on a regular basis, and I am sorry to draw him up on it, but he will not do it again.

Mr. Robert Goodwill (Scarborough and Whitby) (Con): We welcome the extension of hard shoulder running following the successful M42 trial. It will be rolled out, we have been told, in conjunction with toll lanes or high occupancy vehicle lanes. In the case of the M1, the M6 and the M62, will that be introduced on new tarmac created by widening the motorways, or will it be done on the cheap, using the road freed up by the hard shoulder running?

Ruth Kelly: I am glad that Opposition Front Benchers have come to see the merits of hard shoulder running and active traffic management. They have been dithering over it for quite a while, but at least, at last, they have seen sense. It is true, in many cases, that it is possible to deliver 95 per cent. of the benefits of widening at a fraction of the cost through hard shoulder running. However, when we are introducing new capacity—and only in those cases, such as when we are bringing the hard shoulder on stream and allowing motorists to use it for the first time—we might want to think about how to lock in that capacity so that it is not just taken up by more traffic. We should think about the most efficient way to use that extra capacity, perhaps by introducing a toll on the lane or car share lanes.

Rail Fares

8. **Helen Southworth** (Warrington, South) (Lab): What recent steps her Department has taken to simplify rail fares and make the rail system easier to use. [207978]

The Secretary of State for Transport (Ruth Kelly): Fulfilling a commitment made in last year's rail White Paper, a new system of simplified fares was announced in April this year. I have also asked Passenger Focus to carry out a study to see how well the current system meets passenger expectations and to make recommendations to me about further improvements.

Helen Southworth: I am sure that my constituents will welcome that answer, as the complex system of ticket pricing has been a source of some grievance to them and, they tell me, a disincentive to using rail services. Will my right hon. Friend also look again at a national railcard system for frequent users, which has been successful in mainland Europe in getting people on to the trains, and such a benefit should be given to our own people?

Ruth Kelly: I congratulate my hon. Friend on her remarks about rail fares. The simplified rail structure—the biggest shake-up in fares for a generation—will bring profound benefits to passengers. One of the benefits of the new system is not just that the same type of ticket will be available from each train operating company, but that railcards will be equally valid across the network. That is one of the real prizes that is secured by these reforms.

Mr. Philip Dunne (Ludlow) (Con): Is the Secretary of State aware that the quickest rail route from Ludlow to London is via Crewe, yet it is not possible legally to purchase a ticket from Ludlow to London via Crewe? Why is that?

Ruth Kelly: The simplified rail fare structure that we have introduced is indeed the biggest shake-up in fares for a generation, but I am clear that it is only part of the solution. One of the things that we must do for the passenger is to ensure that it is possible to buy a through ticket from any point in the United Kingdom to any other at the cheapest price. I have asked Passenger Focus to consider these issues and to work out from the passenger's point of view what would restore confidence in the railway fare structure, and I am sure that it will consider the point that the hon. Gentleman has made.

Mrs. Louise Ellman (Liverpool, Riverside) (Lab/Co-op): Is my right hon. Friend satisfied that the current fragmented rail system can respond adequately to passengers' concerns? That includes ensuring that the simpler fares do not price people out of being able to book and travel on the same day.

Ruth Kelly: I congratulate my hon. Friend on her elevation to Chairman of the Select Committee on Transport. I have worked with her over the past year, and her elevation is extremely well deserved. I look forward to hearing more from her not just in Transport questions but in Select Committee hearings. She is right to say that we always ought to keep the structure of the railways under review, but the last thing the rail industry needs now is huge upheaval. In fact, this is the first time for a generation we have a stable structure for the industry, based on a secure financial footing, in which we are investing in increased capacity. From the passengers' point of view, that is what they want; they want more capacity, more seats on the railways, more reliable railways and, of course, a railway with fares that they can understand, and we are making progress on all fronts.

Paul Rowen (Rochdale) (LD): Was the Secretary of State aware that many rail companies used the introduction of simpler fares to increase fares for the second time this year? If she was aware, what is she doing about it?

Sir Nicholas Winterton (Macclesfield) (Con): Nothing!

Ruth Kelly: That is, frankly, not true.

Mr. Andrew Love (Edmonton) (Lab/Co-op): The Oyster card has been an enormous success since its introduction on the London underground network, yet the train operating companies are dragging their feet on the extension of the scheme to parts of outer London. As a result, my constituents have to purchase a ticket and then get on the underground and use the Oyster card. Some companies have reached agreement on when the cards will be introduced, but we need to put more pressure on them to introduce them sooner. Can my right hon. Friend help?

Ruth Kelly: I have raised this issue with the chair and chief executive of the Association of Train Operating Companies, which is in negotiations with Transport for London to find out how quickly Oyster cards can be introduced across the network. That is something that passengers would value. It would not only make a real difference to the network, but might mean that fares needed to be adjusted in response. There are clearly commercial issues to work through, and I will do whatever I can to help to broker an agreement.

Insurance Fraud

9. **Bill Wiggin** (Leominster) (Con): What estimate she has made of the number of traffic collisions staged for insurance fraud purposes in the last 12 months. [207979]

The Parliamentary Under-Secretary of State for Transport (Jim Fitzpatrick): The Department has made no estimate of the number of traffic collisions staged for insurance fraud purposes in the last 12 months.

Bill Wiggin: "Crash for cash" is a particularly nasty crime in which elderly, vulnerable and, in particular, female drivers are targeted by fraudsters who try to crash into their cars to get money. Apparently, £28 million has gone to the City of London police, but the majority of such crimes take place in the north of England. What will the Minister do at least to make sure that best practice is spread across the country, as 40 per cent. of people would not even know if they were a victim of this crime?

Jim Fitzpatrick: The hon. Gentleman raises a fair point. It is difficult to detect whether a crash has been staged for insurance and fraud purposes. The Association of British Insurers estimates that the number of road accidents caused by fraud gangs will rise to 2,500 by 2010, up from 1,000 in 2005. That is very much a matter for the insurance industry and its Insurance Fraud Bureau, and it is for the police to try to detect the crime, but obviously it is a matter of concern that has to be monitored closely.

Highway Charges

10. **Ann Winterton** (Congleton) (Con): If she will bring forward a proposal for a scheme under which foreign registered lorries pay to use the highway network. [207980]

The Parliamentary Under-Secretary of State for Transport (Jim Fitzpatrick): As announced in Budget 2008, following the freight data feasibility study the

Government will not progress a vignette scheme at this stage. Our view is that enforcement is a better option to protect road users in the UK.

Ann Winterton: That is a disappointing response. The UK taxpayer will continue to have to pay for wear and tear on our infrastructure caused by foreign hauliers. Is it not a fact that a recent European Union regulation will allow unlimited access to UK markets by 2014? Whereas European hauliers have the benefit of cheaper fuel and unregulated, and therefore cheaper, labour, British hauliers will face yet further unfair competition. Many may go out of business. There is no enforcement to ensure that our good road safety standards can be maintained in future under those conditions.

Jim Fitzpatrick: As I said, the Government are determined to deal with the issue through enforcement. In the past two years, we have more than doubled enforcement targeted at heavy goods vehicles on international journeys. Alongside publication of the feasibility study conclusions, we announced a £24 million package that will fund two new enforcement sites at locations with a high volume of heavy goods vehicles traffic, a 50 per cent. increase in the number of checks carried out, a near doubling of prohibitions, 97 additional staff and a move to 24/7 enforcement checking. We believe that enforcement will protect the road haulage industry. The matter to which the hon. Lady refers will come under discussion in Europe in due course; it has not been decided so far.

Mr. Anthony Steen (Totnes) (Con): I wonder whether the House is aware that 1.7 million heavy goods vehicles have come into Britain over the past 10 years. They were all full of dirty fuel—full of sulphur that they are belching out into our countryside. How does that square with the Government's policy on CO_2 emissions and green fuel, with which all our heavy goods vehicles have to fill up their tanks? It makes a nonsense of the Government's policy.

Jim Fitzpatrick: The hon. Gentleman makes a very fair point. We do not want UK hauliers disadvantaged by those coming from outside, whether the issue is dirty or cheaper fuel, hauliers not observing the regulations on tiredness or overloading ~~their~~ vehicles, or any other regulation being abused. We have reinforced the amount of money available to the Vehicle and Operator Services Agency, the enforcement agency, to make sure that it can police vehicles far more effectively than they have ever been policed before. I assure him that it is determined to do that, and is doing that.

Mrs. Theresa Villiers (Chipping Barnet) (Con): The Minister says that he does not want the UK haulage industry disadvantaged, but it is being disadvantaged. Faced with intense competition from foreign hauliers who pay no British taxes, the UK haulage industry is on its knees. Some 87 per cent. of lorries travelling through British ports to the continent are now foreign-owned. Family-run haulage businesses are going out of business every day because of rocketing fuel prices, and now they face more fuel tax hikes because the Prime Minister needs to fill a gap in his public finances. The Government's complacency on the issue is astounding.

Mr. Speaker: Order. The hon. Lady must not make a speech; she is asking a supplementary question. She should put the question, and she may also ask a second question, but she should not make a speech.

Mrs. Villiers: I am grateful. I apologise, Mr. Speaker. Does the Secretary of State really want her political legacy to comprise presiding over the death of the British haulage industry?

Jim Fitzpatrick: No, we certainly do not want to see the British road haulage industry damaged, which is why we have put in place measures that we believe will protect it. In respect of the accusation that rising fuel costs in Britain are harming our industry, rising fuel costs are affecting the whole of Europe. Every industry is being affected, as we have seen on our television screens over the past few weeks.

Mrs. Villiers: But more than seven years ago the Government promised to introduce measures to ensure that foreign hauliers pay towards the cost of the damage that they cause to Britain's roads. When will they keep the promise that they made, or will they just continue to dither while hard-working UK haulage firms go to the wall?

Jim Fitzpatrick: As I explained to the hon. Lady only a moment ago, the Government carried out the freight data feasibility study to try to identify the best way of protecting the British road haulage industry. It was determined through that study, in which, as I understand it, the Road Haulage Association co-operated and participated, that a vignette scheme of the order that would be allowed would not be appropriate, and that the best way to protect the RHA and British industry was to beef up enforcement on our roads to make sure that foreign hauliers would not be able to take any further advantage. That is what we said we would do. That is what we have done with the extra £24 million that we have allocated to the Vehicle and Operator Services Agency, and that extra enforcement will have an impact.

Topical Questions

T1. [208006] **John Robertson** (Glasgow, North-West) (Lab): If she will make a statement on her departmental responsibilities.

The Secretary of State for Transport (Ruth Kelly): On 7 May I announced new proposals to strengthen the way people learn to drive and are tested, to make newly qualified drivers safer and create a culture of extended learning. On 16 May I announced full approval and funding of £244 million for an extension to the Manchester Metrolink. These new routes are expected to attract an additional 10 million passengers a year. The new simpler structure for rail fares announced in the rail White Paper was introduced for advance fares in May, and on 22 May the Department began a public consultation on the terms of a new South Central franchise. A report commissioned by my Department on longer and heavier goods vehicles has been published today. I have decided not to allow super-lorries on UK roads for the foreseeable future.

John Robertson: Yesterday, the head of the International Air Transport Association commented that the UK's Civil Aviation Authority is the "world's worst regulator" and criticised the UK as BAA's "Monopoly-land". For years I have called for an end to the ludicrous situation whereby Scotland's two major airports in Glasgow and Edinburgh, which are only 40 miles apart, are owned by the same people. It is time to solve the problem, much the same as in London—

Mr. Speaker: Order. I am going to stop the hon. Gentleman. It seems that I am stopping many hon. Members. A supplementary question in a fast-paced session should be short and sharp.

Ruth Kelly: The point that my hon. Friend was rightly making is that it is important to have good service from all British airports, including those in Edinburgh and Glasgow. He is right, too, to point to the Competition Commission report, which is examining ownership of British airports and argued that the issue was not only ownership but aviation capacity in the United Kingdom. Clearly, I cannot pre-empt the report's final conclusions, but when the major hub airport in England is operating at virtually 99 per cent. capacity, it is perhaps not surprising that there are knock-on implications, first and foremost for other British airports. I am sure that my hon. Friend's constituents who use Glasgow and Edinburgh airports will feel the result of that.

Norman Baker (Lewes) (LD): The Secretary of State talks about her commitment to climate change, but the Office for National Statistics report published today shows that emissions from air transport are up 9 per cent. in the past year alone and emissions from road transport are up as well. Does she think that building more and more roads and more and more airport capacity is the right way to reduce emissions? Is she committed to the 60 per cent. cut that the Government say they want to achieve in carbon dioxide emissions? What if they delivered 60 per cent. from the transport sector?

Ruth Kelly: I am certainly committed to the overall position of the UK Government that we should aim for at least 60 per cent. domestic reductions in CO_2 emissions, if not go further. Indeed, as the hon. Gentleman knows, my right hon. Friend the Prime Minister has asked the Committee on Climate Change to see whether 60 per cent. is the right number or whether it should perhaps be 80 per cent. However, I do not accept for a moment that every single sector of the UK or the European economy should contribute precisely the same amount. What matters is that overall we not only reach our climate change objectives but deal with the issues of international aviation and road transport, and all the other sectors of the economy. Within that, it is perfectly possible to have an aviation sector that meets passengers' expectations for increased mobility and cheap holidays. However, we have to ensure that it is within a framework—

Mr. Speaker: Order. I call David Drew.

T2. [208007] **Mr. David Drew** (Stroud) (Lab/Co-op): On Thursday, the Office of Rail Regulation will announce its draft conclusions on which bits of track best meet the criteria set by Government on improved performance and capacity. Will the Minister look forward and see whether the piece of track between Kemble and Swindon deserves redoubling, as many people who use that line feel that it does?

The Parliamentary Under-Secretary of State for Transport (Mr. Tom Harris): I know that my hon. Friend would not expect me to pre-empt any announcement that the Office of Rail Regulation will make later this week, tempting though it is. I pay tribute to him for the resilient and dedicated campaign that he has run for the redoubling of that line, but I, like him, will have to wait for a further announcement from the ORR.

T3. [208009] **Mr. Peter Bone** (Wellingborough) (Con): Fourteen-year-old Alex Williams was in a collision with a car while riding his bike. He suffered bleeding to the brain and was in intensive care. Alex says:

> "you can not tell teenagers to wear something they don't want because we just won't listen. The only way to make teenagers wear a helmet is to make it law".

Does the Minister agree with Alex that it should be compulsory for children to wear cycle helmets?

The Minister of State, Department for Transport (Ms Rosie Winterton): I express my deepest sympathy for the hon. Gentleman's constituent—the young man he spoke about. The hon. Gentleman is right to draw attention to the fact that there have been occasional calls for making the wearing of cycle helmets compulsory. It is an option that we look at from time to time. There are no plans at the moment to make it compulsory, but I hope that I can reassure the hon. Gentleman by saying that we are going to conduct research into the effectiveness of wearing cycle helmets. We hope to have an interim report in the summer, and I hope that that will be able to inform us particularly on the points that he raises.

T4. [208010] **David Taylor** (North-West Leicestershire) (Lab/Co-op): Present medium and long-term Government transport plans have been partly rooted in assumptions that 2020 oil prices would be around $70 per barrel. Given that they are currently double that, will the Department rework its road, rail and air strategies to make them fit for purpose in an era of no more cheap oil—especially in aviation, where unquestioned obeisance to "predict and provide" in a largely untaxed industry is a major environmental hazard?

The Parliamentary Under-Secretary of State for Transport (Jim Fitzpatrick): The Government take into account a range of scenarios when considering future demand for different forms of transport, drawing up their long-term transport plans and appraising individual schemes. I can assure my hon. Friend that the Department for Business, Enterprise and

Regulatory Reform, on behalf of the Government, keeps our assumptions under review in response to changing circumstances.

T5. [208011] **Mr. Adam Holloway** (Gravesham) (Con): Does the Minister agree that for the sake of all the people sitting in traffic jams around the Dartford tolls today, as well as having a consultation we should try to have, say, a week without tolls or something intelligent such as tolls going just one way?

Ms Rosie Winterton: I have to say that the hon. Gentleman's proposal for a week without tolls is completely unintelligent. The idea that one could somehow, for one week, remove the barriers and have vehicles going through at speed is so dangerous that it is ridiculous. The other idea—that we should take the whole tolls compartment away—is just ridiculous. The hon. Gentleman needs to come up with slightly more sensible suggestions if he is to be taken seriously.

T7. [208013] **Mr. Clive Betts** (Sheffield, Attercliffe) (Lab): I am sure the Minister is aware of the £100 million scheme proposed by Network Rail to cut 10 minutes off the journey time between Sheffield and London on the midland main line. Given that that scheme would cost only 1 per cent. of what was spent on the west coast main line but would yield 25 per cent. of its benefits in journey time savings, does he not agree that it is a very good deal? Given the benefits to Sheffield and other economies in the area, it ought to be given favourable consideration by the Government.

Mr. Tom Harris: My hon. Friend has run an enthusiastic campaign on this scheme. It is not my job as rail Minister to interpret the engineering benefits of the scheme; it is up to Network Rail and the Office of Rail Regulation, as he knows. I am sure that in the next few days we will get an assessment from the ORR of whether the scheme is deliverable and represents best value for money.

T6. [208012] **Mr. Hugo Swire** (East Devon) (Con): Given the inevitable disruption to two of the four lines between Reading and Paddington resulting from Crossrail, will the Minister look urgently at the reinstatement of a three-mile loop on the Exeter-Waterloo line, and can he say when the work will start on the agreed route at Axminster?

Mr. Harris: I shall write to the hon. Gentleman on his last point. On his substantive point about the conflict between the different tracks after Crossrail services begin, he will know that Crossrail is essentially a metro service and will not use the fast lines between Reading and Paddington. A great deal of work has gone into making sure that there is no conflict between Crossrail services and existing fast services between Reading and Paddington. I am not aware that anything has changed in that respect, but if the hon. Gentleman wishes to write to me with more details I will be more than happy to respond in detail.

T8. [208014] **Laura Moffatt** (Crawley) (Lab): Plans have been published for the £5.5 billion upgrade of the Thameslink line, which is very welcome for our constituents. How will my hon. Friend make sure that it runs to time and to cost, and that its effect on the travelling public is minimised, including the upgrade to Gatwick airport?

Mr. Tom Harris: I echo my hon. Friend's welcome of the £5.5 billion the Government have committed to making progress with Thameslink. The work we have done in preparation for both phases of Thameslink, the first phase of which is due to be completed in 2011, gives me enough confidence to believe that work will be completed on time. Phase 2 will not be completed until 2015, after the Olympics have finished, but phase 1, which will provide a major step change in increased frequency on the north-south route, will be completed on time and to budget.

Mr. Brooks Newmark (Braintree) (Con): As the Minister will be aware, traffic along the A120 leading to Braintree gets worse and worse every day. An announcement on the extension of the A120 between Braintree and Marks Tey is long overdue. When can my constituents expect an announcement?

Mr. Harris: The hon. Gentleman and I have had a number of discussions on this scheme, I seem to remember, and of course he is keen to know what progress has been made since our last meeting. I will be able to make an announcement in due course. It will not be an early announcement, but I am happy to give the commitment that he will be kept up to date with any decisions taken. The major problem is the steep increase in the cost of the scheme, but working with my officials we will try to find some way forward, and I will keep him fully informed.

T9. [208015] **Hugh Bayley** (City of York) (Lab): It is 20 years since the electrification of the east coast main line, and the line is now used practically to capacity. Atkins has produced a study saying that a new high-speed east coast line would generate two and a half times its cost in economic benefits. Will the Government look seriously at the case for more and faster trains connecting Yorkshire and the north-east with London and the Eurostar services to the continent?

Ruth Kelly: My hon. Friend rightly champions the cause of his constituents. It is important that we continue to invest in rail services. He talks about faster, more frequent trains. Yes, we must have faster and more frequent trains, but not at any price. I welcome proposals for high-speed lines and for conventional lines running at greater frequency, and proposals to upgrade the network. I have already invited Network Rail to consider all the options that we might look at for funding—not in the next period, but in the period beyond—so that if demand materialises for rail travel and more and more people continue to use rail services, we will be in a position to make the right long-term choices.

Mark Pritchard (The Wrekin) (Con): Further to the earlier question about BAA, and given that Britain needs an effective and efficient airport network, does the Secretary of State agree that Britain's competitiveness is being negatively affected by the monopoly of BAA?

Ruth Kelly: I certainly agree that Britain's airports are not highly regarded across the world, and that is having a negative impact on perceptions of Britain abroad. That is a situation that we must sort out. As the hon. Gentleman well knows, the Competition Commission is looking into the situation. I am not going to pre-empt its final conclusions, which will be published later this year, but I would say that the issue is not just about ownership of airports; it is about the regulatory system, too. I recently announced that we were setting up a review to look into the economic regulation of airports across the piece, so that we put passengers right at the centre of our proposal. The issues are the passenger experience, capacity in the aviation sector and, potentially, ownership, although the ownership questions are ones for the Competition Commission.

T10. [208016] **Jessica Morden** (Newport, East) (Lab): Will the Minister look into an issue that was raised with me by the excellent Severn tunnel action group, which is campaigning for better services for its railway station, so that in future new or altered rail franchise documents include requirements to promote rail-to-rail connections, and greater use of rail is encouraged?

Mr. Tom Harris: This is a subject on which my hon. Friend and I have corresponded. I have committed to meeting her and a delegation of her constituents to discuss the issues. She is right to say that connectivity of through railway journeys is vital if the growth in the railways that we have seen over the past 10 years is to continue.

Anne Main (St. Albans) (Con): This week Mr. Bill Emery of the Office of Rail Regulation severely criticised Network Rail's punctuality, delivery and overruns. Will the Secretary of State bear Network Rail's poor performance in mind in the rail freight application process, given its blithe assurances in my constituency that it would not cause delays, and not take its evidence as seriously as it would like her to?

Mr. Harris: It is absolutely true that Network Rail has not performed as well as it should have over the past six months or so. However, it is also true that Network Rail has developed a world-class engineering organisation. I have absolute faith that whatever difficulties Network Rail has to overcome—and there are difficulties—it will manage to produce the excellent railway service that we all want. Network Rail has already committed to a 31 per cent. improvement in efficiencies over the current control period. We will find out exactly what the performance demand will be from the Office of Rail Regulation by the end of this week. However, I am confident that, in contrast with the awfulness of Railtrack, which was introduced by the previous Conservative Government, Network Rail will deliver for the passengers of this country.

Points of Order

3.33 pm

Mark Pritchard (The Wrekin) (Con): On a point of order, Mr. Speaker. My constituents are concerned about the Government's proposals to introduce polyclinics, which will possibly see the closure of GP services throughout Shropshire and the borough of Telford and Wrekin. Given the anxiety of my constituents and those of other hon. Members, in all parts of the House, may I ask you what guidance, if any, you have been given by the Government business managers about an early oral statement on this important issue?

Mr. Speaker: The Government business managers do not give me guidance; I give them guidance. However, the issue is not a matter for the Chair.

Andrew Mackinlay (Thurrock) (Lab): On a point of order, Mr. Speaker. I wonder whether I may make a pre-emptive strike. I understand that the Home Secretary and her Ministers will be available for the press and media after 4 o'clock to reveal the so-called concessions on the 42-day controversy. I have asked the Vote Office whether it has received any indication about the availability of those amendments and the answer is no—the expectation is tomorrow. Surely it is wrong that the press will be spun the line on those amendments before Members of Parliament have had a chance not only to examine them, but to comment and to rebut the arguments of that absurd policy.

Mr. Speaker: What the hon. Gentleman has said is a pre-emptive strike: the situation has not happened yet and therefore I cannot rule on the matter. I will have to look into it if it does happen.

Mr. Oliver Heald (North-East Hertfordshire) (Con): On a point of order, Mr. Speaker. Would it be possible for you to issue instructions to Government Departments and Ministers to the effect that if they produce a press briefing or press release, it should, at the very least, be put in the Vote Office at the same time as it is provided to journalists?

Mr. Speaker: I will not be drawn into this argument.

Members of Parliament (Pay and Responsibilities)

3.35 pm

Mr. Peter Lilley (Hitchin and Harpenden) (Con): I beg to move,

That leave be given to bring in a Bill to require the Senior Salaries Review Body to take account of transfers of powers between Parliament and European Union institutions when making recommendations on the pay of Members of Parliament; and for connected purposes.

In virtually every occupation, it is recognised that pay should reflect responsibilities. If people receive more responsibilities, they get higher pay. If they move to a post with fewer responsibilities, they expect to receive lower pay. The same should be true of Parliament. If, as is contemplated under the Bill that deals with the European constitutional treaty, this House hands over more of its powers to European institutions, MPs' remuneration should reflect that diminution of their responsibilities. If, on the other hand, as my right hon. Friend the Leader of the Opposition has promised, Parliament regains some powers, such as those over social and employment policies that were conceded in the Amsterdam treaty, that should be reflected positively when MPs' pay is assessed.

This issue is important because Parliament is considering transferring a significant slice of its powers on energy, foreign policy, immigration and several other areas to European institutions under the Lisbon treaty. A substantial transfer of powers has already occurred under previous treaties, and this House has ceded powers on a lesser scale to devolved Parliaments and to the judiciary under the Human Rights Act 1998. The German Government estimate that more than 80 per cent. of German laws are now decided at a European level. Our own Trade Minister has admitted that

"around half of all UK legislation with an impact on business, charities and the voluntary sector stems from legislation agreed by Ministers in Brussels."—[*Official Report, House of Lords,* 29 June 2006; Vol. 683, c. WA184.]

I have heard hon. Members claim that only 10 per cent. of our laws are made in Brussels—a figure that they attribute to a Library paper, but that paper says no such thing. It remarks that the number of statutory instruments laid under the European Communities Act 1972 amounts to about 10 per cent. of all the statutory instruments passed by the House, but points out that EU statutory instruments typically enact a whole directive, which is often the equivalent of an Act of primary legislation, whereas domestic statutory instruments implement regulations. To compare the two is like comparing apples and pears, or rather pumpkins and pears given the disparity in their size. It also ignores the most plentiful fruit that comes from the European orchard—regulations, most of which are never considered by this House and which hon. Members find difficult even to obtain.

The total scale of EU legislation is enormous. Last year, the EU passed 177 directives, which are more or less equivalent to our Acts of Parliament, and 2,033 regulations, which become directly enforceable in this place, not to mention 1,045 decisions. Even that huge tally ignores the extent to which our powers are

[Mr. Peter Lilley]

diminished by our inability to do things that we would like to do because they would conflict with European law. When I was a Minister, officials would frequently say, "No, Minister, you can't do that", because something was within the exclusive competence of the European Union.

If the Lisbon treaty goes through, a further salami slice of powers will be transferred to the European institutions. The hon. Member for Birmingham, Edgbaston (Ms Stuart), who served with distinction on the European constitutional convention and who knows more about the implications of the Lisbon treaty than almost anyone else in the House, except for my right hon. Friend the Member for Wells (Mr. Heathcoat-Amory), recently told the Fabian Society:

> "If the Treaty of Lisbon is ratified and devolution...continues apace, in fifteen to twenty years this House of Commons will have only two functions...to raise taxes and...to authorise war".

She went on to say that we are making

> "fewer and fewer decisions that matter"

to people's daily lives, and that she could not tell her constituents that the buck stops here.

Admittedly, declaring wars kept Parliament pretty busy under the previous Prime Minister, as does raising taxes under the current incumbent of No. 10. However, our constituents want us to wage fewer wars, raise fewer taxes and focus on the huge range of issues that affect their daily lives, over which they assume and hope that we retain the powers that they pay us to exercise on their behalf.

Few voters, or even Members of this House, fully realise how many powers have been, or are about to be, transferred elsewhere. There are three reasons for this. The first is that Governments of all persuasions deny that any significant powers are being transferred. The second is that, once powers have been transferred, Ministers engage in a charade of pretence that they still retain those powers. Even when introducing measures that they are obliged to bring in as a result of an EU directive, they behave as though the initiative were their own.

Indeed, Ministers often end up nobly accepting responsibility for laws that they actually opposed when they were being negotiated in Brussels. They took the rap for costly and troublesome home improvement packs—which have added to the woes of the housing market—even though they were actually mandated by a Brussels directive. Similarly, they took the rap for fortnightly bin collections, hospital reconfiguration and a number of other measures, even though they had all been triggered by directives from Brussels. At first sight, it is odd that Ministers—who, in this Government, are not normally slow to blame others—should nobly defend and accept responsibility for Brussels' legislative progeny, in whose conception they have often played little part. They prefer to claim paternity rather than admit impotence—the fate of the cuckold across the ages.

The third reason is that the transfer of power occurs not all in one go but by a process of salami-slicing, and it is easy to close our eyes to what is happening. As a result, there is a danger of Parliament sleepwalking into becoming little more than a provincial assembly. If that is what is happening, we should be paid accordingly—just as district councillors get less than county councillors, and county councillors get less than Members of the devolved Assemblies.

I do not have a masochistic desire to see MPs' pay cut, but I want still less to see our powers diminish. The best way to prevent the latter might be to link pay to responsibilities. I do not know any Member of Parliament who entered Parliament to become financially better off. None the less, just as the prospect of being hanged in the morning concentrates the mind wonderfully, so the prospect of finding our pockets a bit emptier at the end of the month—and having to justify that to our spouses—might wake up those who have shut their eyes to what is happening. If we do not face up to what is happening, we will find ourselves being progressively relegated to what Bagehot called the dignified part of the constitution. As Tony Benn once rhetorically asked:

> "I wonder how long it took for the yeomen of the guard to realise that they were no longer part of the regular army."

My Bill is designed to provide a wake-up call whenever we risk going further down that route, although I accept that it has little chance of becoming law in this Parliament. Those who support the transfer of power from here to supranational institutions should logically accept that our pay should reflect the diminution of our responsibilities. But, strangely, all the Euro-enthusiasts whom I asked to sponsor the Bill declined to do so without explaining why. Too many Members are happy to avert their eyes from what is happening, so long as they retain the prestige and emoluments that were appropriate to a fully sovereign Parliament. Turkeys do not vote for Christmas.

If any Labour Members oppose the Bill, I hope that they will come out and object to it here and now, rather than trying to dispose of it by subterfuge one Friday morning. I look forward to hearing them argue for having their cake and eating it. I doubt that they would convince many of their constituents that, unlike any in other occupation, MPs' pay should be divorced from their responsibilities.

3.43 pm

Hugh Bayley (City of York) (Lab): We have just heard a witty and amusing speech. I was not aware that this issue was going to be raised today, but I was sitting in the Chamber listening to Transport questions and suddenly the right hon. Member for Hitchin and Harpenden (Mr. Lilley) rose to his feet and made this proposal. He said that he had asked a number of Euro-enthusiasts to back his Bill; I regard myself as a Euro-enthusiast, but he did not ask me. Had he done so, he would have given me notice that he was going to make this nonsensical proposal, and I would have been able to prepare a better speech. However, I shall certainly try to rise to the challenge that he has thrown across the Chamber.

The right hon. Gentleman argues that the volume of legislation to be considered by the House will decline as more and more powers are passed across to the European Parliament, but he knows as well as any other Member that the volume of legislation considered by this House continues to increase year by year. We have never suggested that that is an argument for increasing Members' pay pro rata—

Stephen Pound (Ealing, North) (Lab): That is a good idea.

Hugh Bayley: I note what my hon. Friend says.

Nor should the passing of some legislative powers from this House to Europe be an argument for moving in the opposite direction.

I must say seriously to Members of the House that I do not think that the European Union provides a good model for the remuneration of Members of Parliament. I have just checked with my hon. Friend the Member for Birmingham, Edgbaston (Ms Stuart), who is a sponsor of the Bill and well versed in EU matters, and she tells me that EU spend is about 0.5 per cent. of EU wealth. The spend of our national Government is probably about 40 per cent. of our national wealth, which is 50 or 60 times as much as the EU spend.

If the right hon. Gentleman is arguing that there is a serious transfer of financial responsibility from the House to Europe, that is just not based on fact. The Lisbon treaty not only does not change that fact, but it delegates some powers back to national Parliaments. The public want to see more information about MPs' pay and allowances, but they would get less information if our pay was tied into and buried under bureaucracy from Europe. Surprisingly to my way of thinking, the Bill is proposed by a staunch opponent of Europe whom I would have thought could see that point himself.

The right hon. Gentleman is making a political point about Europe, not a serious proposal for greater transparency in the pay of Members of Parliament and greater accountability to the public for Members of this Parliament. I hope that the Bill does not receive its First Reading.

Question put, pursuant to Standing Order No. 23 (Motions for leave to bring Bills and nomination of Select Committees at commencement of public business), and agreed to.

Bill ordered to be brought in by Mr. Peter Lilley, Mr. Michael Ancram, Mr. Peter Bone, Mr. Graham Brady, Mr. Frank Field, Mr. James Gray, Mr. David Heathcoat-Amory, Mr. Edward Leigh, Mr. John Redwood, Ms Gisela Stuart and Mr. Charles Walker.

MEMBERS OF PARLIAMENT (PAY AND RESPONSIBILITIES)

Mr. Peter Lilley accordingly presented a Bill to require the Senior Salaries Review Body to take account of transfers of powers between Parliament and European Union institutions when making recommendations on the pay of Members of Parliament; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 17 October, and to be printed [Bill 113].

Child Maintenance and Other Payments Bill (Programme) (No. 2)

Motion made, and Question put forthwith, pursuant to Standing Order No. 83A (Programme motions),

That the following provisions shall apply to the Child Maintenance and Other Payments Bill for the purpose of supplementing the Order of 4th July 2007 in the last Session of Parliament (Child Maintenance and Other Payments Bill (Programme)):

Consideration of Lords Amendments

1. Proceedings on consideration of Lords Amendments shall (so far as not previously concluded) be brought to a conclusion three hours after their commencement at this day's sitting.

Subsequent stages

2. Any further Message from the Lords may be considered forthwith without any Question being put.

3. The proceedings on any further Message from the Lords shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement.—*[Mark Tami.]*

Question agreed to.

Orders of the Day

Child Maintenance and Other Payments Bill

Lords amendments considered.

Clause 9

ANNUAL REPORT TO SECRETARY OF STATE

Lords amendment: No. 1

3.48 pm

The Parliamentary Under-Secretary of State for Work and Pensions (Mr. James Plaskitt): I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Speaker: With this we may discuss Lords amendments Nos. 2 to 5 and Nos. 106 to 117.

Mr. Plaskitt: We come to what are almost the final stages of Parliament's consideration of the Bill. Indeed, we are just short of the first anniversary of my introducing it to the House on 5 June 2007. Over almost a year of consideration, we have found much cross-party agreement and consensus as the Bill has proceeded on its way.

Before I dive into consideration of the first batch of amendments, I want to place on record my appreciation of the way that hon. Members dealt with the Bill in Committee, in which where we had detailed, co-operative and constructive deliberations, which have helped to improve it. As I speak to the amendments, hon. Members representing the official Opposition and the Liberal Democrat party will spot ideas that they brought up in Committee, which I promised on behalf of the Government to take away and consider. I have done that. Those with merit found favour, and are therefore to be incorporated in the Bill in a way that will improve it.

The Bill was considered extensively in the other place, where, of course, some of those amendments originated. The process has been constructive, and we now have before us a batch of amendments that are, I think, not too controversial—we shall find out soon—and should add the final polish to a well-considered Bill.

The first group of amendments relates to the status of the Child Maintenance and Enforcement Commission and to its reporting requirements. The amendments make the necessary provision for the new body to have Crown status to provide stability for the Child Support Agency's greatest resource, its staff.

Mr. Oliver Heald (North-East Hertfordshire) (Con): Obviously it is sensible for the commission's staff to retain their status as civil servants, but why on earth were the Government ever thinking of taking it away from them? And why is the commission to be a Crown body rather than an executive agency, which is what it was in the first place? The Government seem to have gone around in a circle.

Mr. Plaskitt: There is no great mystery. The most important thing that the Bill introduces is the commission, which will be a non-departmental public body. We opted for NDPB status because we think it important to put the operation of the commission, and therefore the delivery of child maintenance, at arm's length from ministerial involvement. That argument has been rehearsed exhaustively throughout all stages of the Bill's consideration, and I thought that both the Conservatives and the Liberal Democrats had accepted that this was the right way to proceed.

Normally when a body takes on non-departmental status the civil servants who work in that body also take on a different status, but when Ministers discussed the issue with staff, they made clear their concern about it. Having listened, we reached an understanding—as I have already announced—allowing the commission to be a non-departmental public body but allowing its staff to enjoy Crown status. That is not a unique solution; there are precedents.

Mr. Heald: Is this not just another example of dithering? The Government began by saying "Let us have an arm's length body that is not run by civil servants", and then changed their minds. Suddenly we are back with a half-baked arrangement that is nothing like either of the options.

Mr. Plaskitt: The body will remain at arm's length. It is a non-departmental public body. The idea was to put it at arm's length from Ministers, and it remains at arm's length from Ministers. Nothing has changed, and the hon. Gentleman's accusation that there has been some dithering is completely erroneous.

John Bercow (Buckingham) (Con): Will the Minister give way?

Mr. Plaskitt: I will give way when I have finished replying to the hon. Gentleman's colleague.

The fundamental status of the organisation has not changed—it remains a non-departmental public body—but its staff, who are very important to us in helping to deliver all this, raised with us concerns about their status as civil servants, of which they are proud and which they would normally lose when the organisation became a non-departmental public body. They asked whether we would consider giving it Crown status while retaining it as a non-departmental public body. As I have said, there are precedents for that. A great many civil servants are involved—10,000—and we were able to accede to their wishes. They welcomed the fact that, at least initially—I am about to come to that—the organisation will retain its Crown status, and they will retain their status as civil servants.

John Bercow: Lords Amendment No. 2(6) makes provision for an order-making power. My view is that clarity is of the essence. Is it intended that that order-making power should be subject to the negative procedure of the House or to its affirmative counterpart?

Mr. Plaskitt: I may be able to assist the hon. Gentleman with that if he gives me a little time.

John Bercow: It might prompt the Minister, although I suspect that the answer is now being provided to him, if I tell him that his noble Friend in the other place promised that it would be subject to the affirmative procedure, which, for the benefit of those listening to our proceedings, means that there would be an element of parliamentary scrutiny. He is not going to renege on that, is he?

Mr. Plaskitt: No, he is not; he will confirm what my noble Friend said in the other place. There is plenty of consistency.

Mr. Heald: Even now, the Minister has not finally made up his mind about whether it should be a Crown body. The point about amendment No. 2 is that he will review the matter again. We started off with an arm's length body without civil servants. Then we had the halfway house of having civil servants, but with it still being an arm's length body. Now the Government are agreeing to have another look at it in three years. Not only have they dithered, they propose to continue dithering for another three years.

Mr. Plaskitt: This is getting a bit repetitive. Let me say again that there is no dithering. The fundamental objective, namely the non-departmental public status and all the advantages that flow from that, is in place, unaltered and unamended by anything that we have done, save for the difference we have made in respect of the staff who work for the existing agency, who were concerned about their loss of civil service status. We have been able to retain that. That is the only thing that has changed; it is not fundamental in terms of the purpose of the Bill and has been accommodated within the Bill's essential objectives. It is subject to review and I will come on to explain why that is.

Mrs. Nadine Dorries (Mid-Bedfordshire) (Con): Has the dithering, or non-dithering, had any affect on staff morale?

Mr. Plaskitt: There has been no dithering. Let me do this again. We introduced the NDPB proposal, which was welcomed by the staff of the agency who support the Bill, approve of the direction we are going in and are looking forward to working for the new organisation. The one thing they said was, "This means that we will lose our civil service status." Initially, it did, but we considered what they said and have been able to restore their civil service status. That has enhanced the staff's morale, and if the hon. Lady cares to go to one of the CSA offices and asks for herself, she will find that that is the case.

Staff to whom I have spoken—I have spoken to many hundreds—support the Bill and the proposed change. They are very pleased at the decision we were able to make on the retention of their civil service status, so I can tell the House that the effect of the Bill and the subsequent change we made on status have substantially enhanced staff morale.

As I made clear during earlier stages of the Bill's passage—I am pleased to note that Opposition Members have echoed me on this—the difficulties experienced by the agency in the past have resulted from the failure of current policy and structure, not as a result of any action or inaction by the agency's staff, who remain its most important resource. Throughout the history of the agency, staff have time and again proved to be dedicated to providing the best service to all clients, both parents with care and non-resident parents. The staff of the agency are absolutely essential to the success of these reforms and, like all of us, what they really want is to be given the right tools to enable them simply to get on with the job of collecting the maintenance and seeing it flow to children.

As we developed our proposals for reform and as I have said before, it became increasingly clear that the agency's staff did have concerns about the loss of civil service status. Perceptions are important, and it was in no one's interests for us to put our reforms at risk through unnecessarily destabilising those at the front end of delivering those important reforms. This change to a Crown body will therefore enable staff to remain civil servants, and it allows them to look forward to, rather than have concerns about, the commission's launch.

4 pm

There are a number of amendments consequential to this change. For example, as staff will now remain civil servants, there is no need to apply the Transfer of Undertakings (Protection of Employment) Regulations 1981 and 2006, and as a result, the clause in question can now be removed. Additionally, we recognise that over time, the advantages of Crown status in general might recede, so we intend to review the commission's status after three years. If the review concludes that Crown status is no longer necessary or advantageous, the amendments provide an order-making power to make the necessary changes, subject to affirmative procedure. However, at that point, as now, the views of the staff will be important in determining for us whether we decide to remove Crown status.

Paul Rowen (Rochdale) (LD): I would be grateful if the Minister explained what it is that he sees diminishing with time. A similar statement was made in the other place by the noble Lord McKenzie of Luton, and it was not adequately explained. Many of the same staff are still going to be employed, and if they lose Crown status, they will lose all the benefits that go with that. What safeguards is the Minister going to put in place to ensure that they do not lose out?

Mr. Plaskitt: The key point is that this is an issue specific to the commission. The reason it makes sense to review, and why I chose my words carefully regarding Crown status, is that there may well be reconsideration across government as a whole of the position of the Crown status of the bodies concerned. It is important that we recognise that a wider review is taking place that might change some of the current conditions regarding Crown status, whereby the specific arrangement made for this commission may no longer have its current advantages. It is therefore simply logical to accept that there will be a review, not specifically of this body but in the context of a wider review of Crown status. However, and as I said, just as we have listened to the staff at this point and been able to agree to their request to retain Crown status, their

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views on this matter will be critical to the commission and to us in future, at the point of review. I am happy to underline that point.

I have also taken on board the point made in Committee and in the other place that the Bill explicitly requires the commission to include in its annual report its use of outsourcing to private and voluntary social bodies, but not to public bodies. An amendment has therefore been made to put the latter requirement in the Bill. That picks up on a very sensible proposal made by the Opposition in Committee.

I believe that this group of amendments improves the Bill, and I commend it to the House.

Andrew Selous (South-West Bedfordshire) (Con): Let me start by thanking the Minister for his thanks to Opposition Members for our co-operation and scrutiny during the Bill's passage. He is absolutely right—Members in all parts of the House are absolutely united in trying to get our system of child support right. We all recognise that it has not been right for many years, and the fault for that really lies with Members of this House present and past, and absolutely not with the staff—I agree with the Minister on that—who have done their best in difficult circumstances. Frankly, they have not had the tools to do the job, as he said. The Bill contains a pretty powerful toolkit that we on the Conservative Benches agree with in very large part.

On Lords amendment No. 1, we welcome the extra transparency provided by the inclusion in the commission's annual report of the provision of services to CMEC by Ministers of the Crown, Government Departments or public bodies specified by the Secretary of State. Co-operation, in particular with Her Majesty's Revenue and Customs, will be fundamental to the commission's future success. I give the Minister notice that when we discuss the next group of amendments, I shall raise some specific issues about the current level of co-operation—or non co-operation, as sadly is the case—with HMRC, given existing legislation. I shall not expect him to have immediate answers, but I should be grateful if he got back to me.

Clearly, HMRC and the Treasury will assist CMEC, but it is not clear to me precisely what CMEC will be doing for other Departments and public bodies. Lords amendment No. 1 cuts both ways; it is about services supplied both to and by CMEC. I can clearly see that there is a case for CMEC to help HMRC should it find out details about information that is perhaps not being declared to the Revenue; that would be an entirely sensible use of CMEC staff time. However, will the Minister elaborate on whether there are any other areas in which CMEC staff will be expected to help other Departments and public bodies? After all, it is not as if CMEC's staff will not already have enough to do and will not already have their work cut out significantly.

The Minister began by discussing Lords amendments Nos. 2 to 5, and 106 to 117. As he said, they will change the status of CMEC to that of a Crown body, and will ensure that the commission's staff will remain as civil servants and will not have to change their employer. Lords amendment No. 2 introduces a new clause requiring the Secretary of State to review the status of the commission after three years, with the possibility of further reviews. I agree with the Minister that if we do not get staff morale right, we will not make a success of the commission. He rightly says that ensuring that the staff are happy and on board is essential. Given that Crown status is so important to the staff, will not reviewing it after three years, with the promise of further reviews, be unsettling to them? The Minister's objective might have been to reassure the staff—the 10,000 individuals of whom he spoke—but having constant ongoing reviews hanging over them is a funny way of doing that.

John Penrose (Weston-super-Mare) (Con): Does my hon. Friend agree that on the basis of what the Minister has been saying, it seems that the review in three years' time will be undertaken against a background of a Government-wide review of Crown status and perhaps the terms and conditions of employment of a great many civil servants? Surely that might poison the atmosphere and make the maintenance of staff morale between now and then, as that review starts to grind through, even harder than it might otherwise have been.

Andrew Selous: I agree with my hon. Friend, because certainty is important in employment; people want to know that their terms and conditions will not be unexpectedly changed or fundamentally reviewed. Those people joined the agency on a certain set of terms and conditions, with which they were happy, and they should have a reasonable expectation that their terms and conditions will be broadly similar in future.

At the very least, the Government's manoeuvrings have not been perhaps as elegant as they could have been, given where the Government started from and where they have ended up. Will the Minister tell us how many other NDPBs are Crown bodies whose staff are civil servants? Is such an arrangement usual for NDPBs, or will CMEC be an isolated case? It would help the House if he let us know the answer to that.

The Minister's colleague in another place, Lord McKenzie of Luton, who is virtually a parliamentary neighbour of mine, has said:

> "It is very important that the body is more at arm's length…Having a non-departmental public body with separate governance arrangements and with greater operational flexibility is a key part of the reforms. It is needed to distance the future from the legacy of current and past failure and the culture of non-compliance."—*[Official Report, Child Maintenance and Other Payments Public Bill Committee,* 17 July 2007; c. 4, Q2.]

My next question to the Minister was what stops an executive agency from having operational flexibility, to which I do not feel that I received a full and adequate answer at the time.

Indeed, many hon. Members on both sides of the House have questioned the need to set up a new body, given that the same staff in the same buildings will carry out essentially the same tasks—or at least with the same purpose. The Minister's argument about the need for this arm's length body has been undone, given that it will now have Crown status and that the staff will be civil servants. Would it not have saved taxpayers' money to leave CMEC as an executive agency of the Department for Work and Pensions and been much less unsettling for the staff, who have been worried by the proposed change in their status? The staff also have an ongoing worry, given that a review will take place in three years, with a promise of further reviews in the future. I hope that the Minister will address those points.

Paul Rowen: I welcome the Minister's introductory remarks. We made several suggestions and amendments in Committee and on Report, and I am delighted that many of those proposals have found acceptance and are presented for our consideration today. Like other hon. Members, I welcome the passage of the Bill. As the Minister said, it is 12 months since we started to consider it, and the eradication of child poverty remains one of the biggest single issues that we have to tackle. Anything that ensures that parents with care get the money to which they are entitled to enable children to be brought up properly is to be welcomed. We have to accept that the House has failed singularly in the past to tackle this issue through the many guises of the CSA and various payment methods. Last year, we all welcomed what seemed to be a new start with CMEC and, we hoped, a sea change in the way in which such issues are addressed.

I welcome amendment No. 1. It is important that CMEC is transparent about its arrangements with other suppliers. We need to know if it is using debt collection agencies or if it makes arrangements with computer suppliers. In the past, the CSA's arrangements were not as transparent as they should have been, and expectations were raised—for example, about how much debt collection agencies would collect—and then not met. I hope that with greater scrutiny—which CMEC will receive—we will be able to question suppliers and ensure the accountability to this House to which we are entitled.

On Report, the Minister said that amendments would be tabled in the other place to give CMEC Crown status. We know, because this was one of the first Bills to receive public scrutiny, that the staff want that, and it is a sensible move. However, I am not clear—other than from the Minister's claim that there will be a general review of Crown status—why he has added the provision about a review after three years. It is quite clear that if there is a change of Government policy, not only in the Department for Work and Pensions but across the piece, that change should be made through a statement in this House that cites the reasons for it. Having gone through quite a sea change in terms of the way in which payments are collected, it is clearly unsettling for staff to face the prospect in three years' time of the possibility of being subject yet again to a review. I am still not clear about how the proposal will affect the status and conditions of the civil servants—I understand that they will remain civil servants while they work for the Crown. I do not think that the review is helpful. The Minister needs to give a clear statement that the current status will continue.

4.15 pm

Yes, the Government might announce a change in the future. If, in three years' time, the Minister were to announce a review of the operation of CMEC, that would be totally different. However, it is unhelpful to the staff to talk at this stage about merely reviewing that status after three years, because that does not help them with their task of tackling child poverty.

One subject that has not been mentioned, which was raised by my noble Friend Lord Kirkwood in the other place, is VAT. I would be grateful if the Minister confirmed that another factor in the Department's consideration of the amendment was that VAT would be payable if the commission were a non-departmental public body, but that if it were a Crown body the £140 million would not be payable. If it seems that someone had not budgeted for that, perhaps the Minister could confirm whether it was a factor in the changes that have now been proposed?

In conclusion, I welcome the changes, but the Minister needs to reassure us about why the review in three years' time is necessary without an overall change in Government policy, and I have not seen an announcement that that will take place. The prospect of such a review is clearly unsettling to staff and it will not help them in their difficult job of collecting the outstanding old debt as well as getting a new system up and running.

Mr. Heald: The history of the status of the commission in the Bill says a great deal about leadership, or the lack of it. We have seen a history of attempts to shirk responsibility and of dithering.

First, on the point about shirking responsibility, it was not by chance that Lord McKenzie talked about distancing from failure. The change is not an attempt to distance the new commission from failure, but an attempt by the Government to distance themselves from the work of child support bodies in this country. We know that over the years there has been a litany of failure in the Child Support Agency, which was not the fault of the staff but was, if anything, the fault of the House. The Bills that have been passed have not succeeded and the computers that have been purchased have not worked. We all know, looking at the work of the CSA, that nobody could be proud of it. There have been some improvements over time, but the fact remains that it has a sad history.

I am convinced that the Government originally set up the commission as a non-departmental public body—it was not part of the state and did not have civil servants working for it—as an attempt to distance the Government from a body that had failed in the past and from a new body that risked failure in the future. The history of child support in this country has shown that it has proved extremely difficult to get parents to pay for their children, particularly parents who do not have very high incomes.

This measure is therefore an example of an attempt to shirk responsibility. I do not think that it is right that the Government should do that. If they are performing an executive function, which is what this is all about, it should be carried out by an executive body. The staff employed by the executive body should be civil servants, as they are now. Such an attempt to pretend that the body is nothing to do with the Government is part of the "Not me, guv" culture and it is wrong. Governments should not do such things. Ministers should take responsibility for the functions that their

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Departments and their civil servants deal with, and they should not try to shirk them in the way that the Bill attempts to do.

John Bercow: My hon. Friend makes his case with his characteristic understatement. The Minister has been very courteous, but the reasoning behind any prospective change in three years' time remains distinctly opaque. Given that any change would be announced—under the affirmative procedure, admittedly—only to a small Committee sitting upstairs, of which most Members of Parliament, let alone most members of the public, would be entirely oblivious, does my hon. Friend not think that the Government ought to state this afternoon on the Floor of the House what criteria would trigger a change?

Mr. Heald: My hon. Friend has come to a very important point—it is the third point that I want to make, but I will deal with it now—about Lords amendment No. 2, which states:

> "If, on a review under this section, it appears to the Secretary of State appropriate to do so, the Secretary of State may by order made by statutory instrument provide that the Commission is to cease to be a Crown body… An order under subsection (6) may…make any amendment to Schedule 1 that appears to…be necessary or expedient",

and it may apply the transfer of undertakings regulations, and so on. So if the Minister decides in three years' time that he wants to change great chunks of the Bill, he can do so in a little Committee upstairs, as my hon. Friend says, without the full and proper scrutiny that the staff would expect, that we expect and that the British public are entitled to expect. That is a hole-in-the-corner way of doing things.

My hon. Friend thinks that I am slightly overstating my case—I got the mood of his comments—but Parliament should feel passionate about the annoying fact that such important decisions, which affect millions of people in the way that the child support arrangements do and which affect important civil service staff who are entitled to expect Ministers to stick up for them and to treat them decently, should be dealt with unconstitutionally. That is my view.

John Bercow: I certainly would not accuse my hon. Friend of overstatement at any stage. We in the Opposition may be right or we may be wrong on this point—naturally, it is in the nature of holding an opinion that we think that we are right—but does he not accept that, whatever may be said of our position on this matter, it is not motivated by party political considerations? We all entertain the very highest regard for my hon. Friend the Member for South-West Bedfordshire (Andrew Selous), who may well occupy an important post, wielding immense power with great discretion and judgment, but we do not want him to exercise this sort of Henry VIII power, and I rather doubt whether he would want to exercise it.

Mr. Heald: That is exactly the point, and my hon. Friend is right to use the expression "Henry VIII power". Historically, the House has been very jealous not to give away Henry VIII powers that change great parts of primary legislation simply by regulation. The Government have been very careless about that. One remembers the Legislative and Regulatory Reform Act 2006, which a number of us were involved with. Luckily, we managed to persuade the Government not to introduce something so draconian. The fact is that the Government are well prepared to entertain such powers, which Parliament has traditionally assumed. Let us consider the proposals that we will get next week. I will not go into them in detail, but this is all part of a pattern of removing ancient liberties without enough thought or consideration.

My other point about leadership is that dithering is a decision in itself. Not making a decision is a decision if someone is in government and in a position of leadership. The Government have got form under this Prime Minister for dithering badly. There was the election and Northern Rock, and now we see in the Bill another example of dithering. What does that say to the civil servants, who are expected to work for the Government—that their position is uncertain for a year during the consideration of the Bill and that Ministers are prepared to throw away civil servants' pensions, pay and rations on a whim? When the Government finally come to their senses and decide that they will keep the civil servants doing the job, they do not even make a definite decision; they say, "Oh well, we'll have another look at it in three years' time," and if they want to take away the Crown status, all the civil servants can just lose their status and all the important aspects of their role can be lost in a Committee upstairs. Thank goodness the affirmative procedure will apply, but it does not say much for the Government that such important decisions should be taken in that way.

I hope that, as my hon. Friend asked, the Minister will now explain—this is my final point—the criteria for the review. Will he set them out now? What is really going on? Will he come clean with the House?

Mr. Mike Weir (Angus) (SNP): The hon. Member for Rochdale (Paul Rowen) said that we started on the Bill a year ago; somehow it seems a lot longer than that, although we had an enjoyable and informative Committee stage, in which we got through a lot. When I saw the Lords amendments, I was slightly disappointed that their lordships had not given me the opportunity to dust down my old arguments about the Scottish minutes of agreement and had not given me one last chance to persuade the Minister how wrong he is on that issue. The Bill misses an opportunity. I still have some of the reservations that I expressed in Committee, sometimes at fair length.

Andrew Selous: We supported you.

Mr. Weir: I did get some support, and I was very grateful for it at the time. I am sorry that this is one of the issues on which the Government have not seen sense. Having said that, I am pleased to see some of the amendments on the amendment paper, and that the combined arguments of the Opposition in Committee carried some weight and had results at later stages; some of the issues that we addressed have been returned to.

On clause 2, I am pleased that the Government have gone a considerable way towards addressing the concerns raised regarding the status of the Child

Maintenance and Enforcement Commission, but I share many of the concerns already expressed on that point, particularly regarding the three-year period. I have considerable experience of dealing with the Child Support Agency, both as a solicitor and latterly as a Member of Parliament. I have always found the staff to be as helpful as they can be but, over the years, they have put up with horrendous problems with the computer system and, frankly, with some incompetent management. That is reflected in many ways, including in the morale of staff in many offices, and in staff turnover. I remember visiting one centre where there was very high staff turnover—I cannot remember the exact figure—because of the pressure that staff were under, both in the job and because of the reaction of the public with whom they had to deal. The public had to deal only with the person on the coal face, and not with the computer system or the management behind the organisation.

I am pleased that the Government have accepted that the staff should remain civil servants. I note what the hon. Member for North-East Hertfordshire (Mr. Heald) says about making changes in a Committee Room upstairs, but he cannot have been subject to the campaign waged by the unions on the position of their members in the CSA. I am sure that debate on such a subject would not slip past unnoticed in a Committee Room upstairs without mass lobbying of the House by members of the unions, who are deeply concerned about the status of their members in the CSA. They perhaps saw the proposal as a bridgehead showing things to come. They, and many other organisations, will be watching closely any changes that are proposed.

Mr. Heald: But does not the hon. Gentleman agree that public service is important, and that the ethos of civil servants, and the way in which they work, particularly when they are in a difficult role, as they are in the case of the Child Support Agency, is important and something for which we should stand up? I do not criticise the unions for what they are doing; I think that they are right.

Mr. Weir: I entirely agree with the hon. Gentleman, and I was not criticising the unions. I was just pointing out that they have been assiduous in protecting the interests of their members in the CSA and, I am sure, in other Government Departments. They will watch like hawks for any attempt to change the status of the commission or of any other Department.

I agree that the provision for a three-year review raises great suspicions that the move is merely an attempt to kick the issue into the long grass for a wee while and to get around the problem. The Minister shakes his head, but if that is not the case, why put in the provision at all? The Government could at any time bring forward legislation to change the status of the commission or any other civil service body. Why provide for a three-year review unless there is a deliberate intention to revisit the issue at the end of the initial period, and perhaps to attempt to make the change in a manner that will not be brought to public notice? I think that such an attempt would fail.

Staff morale has been bad in many parts of the CSA. The proposal will leave staff in a difficult position. It will create continuing uncertainty about the future, although there might be relief that the original plan is not being implemented. The issue may not be resolved in three years, with an ongoing review further down the line. The CSA was undermined by uncertainty, low staff morale and the failure of the computer system. We need the commission to be grounded, to have proper resources and to make sure that the work is done, without the distraction of the many failings that the CSA had. I accept that the Government have moved considerably to meet the objections to their original proposal, but the continuing uncertainty is regrettable.

4.30 pm

Mr. Plaskitt: I shall try to respond to the points that have been raised in the debate on the first group of amendments.

In respect of HMRC data, the hon. Member for South-West Bedfordshire (Andrew Selous) asked about the commission helping other Government Departments. The commission has a stake in any Department looking after the interests of children, especially where family separation has occurred. It will probably be highly relevant for the commission to exchange information with the Department for Children, Schools and Families, which will help with programmes in which the Department is involved, such as Sure Start, children's centres and so on. Wherever there is a shared interest in services for children, especially for those from a fractured family background, I would expect the commission to co-operate with other bodies.

The hon. Gentleman asked me how many other non-departmental public bodies had Crown status. There are three others—the Health and Safety Commission, the Health and Safety Executive and the Advisory, Conciliation and Arbitration Service. The commission will join them, forming a small group out of 200 NDPBs. The commission is by far the largest of those bodies; the others that I mentioned are considerably smaller.

Andrew Selous: I was under the impression that the Health and Safety Commission had just been wound up into the Health and Safety Executive. That would leave two such bodies out of the total number of NDPBs, which makes the point that I made earlier.

Mr. Plaskitt: It makes the point that I was making as well—that there is a small number of such NDPBs. We are adding the commission to them for reasons that I have set out. It will join a couple of others in that position.

I shall return to the three-year review, but first I shall deal with some of the other points. The hon. Member for Rochdale (Paul Rowen) asked whether the position on value added tax was the reason for the decision. It was part of the reason, but by no means the dominant or sole reason. Yes, he was right to point out that it was one of the consequences attendant upon the proposal. The amount of VAT liability that he mentioned was considerably higher than I believe it is. Nevertheless, it was one of the factors that weighed in the balance. The views of the staff of the agency were dominant in that decision.

The hon. Member for Angus (Mr. Weir) tried to tempt me back into the realm of the 12-month rule. I have discovered that the rule is that we must spend

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12 months discussing the matter. We have done that for 12 months, and that is enough, so I will not go back into it, interesting and enjoyable though our long debates on the subject were. I hope that he will forgive me, but I think that I would be out of order in any case because the amendment on that has not been selected.

I am afraid that I was disappointed by the contribution from the hon. Member for North-East Hertfordshire (Mr. Heald). *[Interruption.]* He may well be a fine man, but I found that he was trying to hang rather wider political points on to the amendments. He said that going for non-departmental public body status was all about Ministers shirking responsibility. It is not. I urge him to look again at the rules that relate to NDPBs. In the case of the Child Maintenance and Enforcement Commission, as in the case of similar bodies, Ministers will still be ultimately responsible for what goes on. The NDPB is set up by statute law. It is ultimately answerable to the relevant Minister in the Department, who in turn is answerable to the House of Commons. The idea that there is a shirking of responsibility is therefore not appropriate at all.

I will rehearse for the hon. Gentleman a couple of the primary reasons that we felt it was right to move to this status. First, the Bill breaks the statutory link that ties the CSA to the benefits system, whereby at the moment any parent with care going on to benefit automatically gets referred to it because of the interaction between the rules on benefit and the rules on child maintenance. The repeal of section 6 of the Child Support Act 1991 breaks that link, which is a fundamental reason why an agency is no longer necessary. Moreover, once established as an NDBP, the commissioners can focus exclusively and entirely on the task that they are set by the Bill—namely, the collection of maintenance money for children. They no longer have to be concerned, as senior officials running an Executive agency have to be concerned, with other objectives of the Department. There are clear structural advantages in placing the commission in this position.

What slightly puzzles me about this debate is that my clear recollection is that in Committee the switch to NDPB status was fully supported by the Conservatives, but I am beginning to detect that there may be some rowing back from that. I am not sure why that is. It seems to be something of a change in position from the one that I understood them to have when we debated this in Committee.

Andrew Selous: I think that the Bill may have begun its course when some of my other hon. Friends were occupying shadow DWP positions. If I may refer the Minister back to columns 3 and 4 of the Public Bill Committee debate of 17 July 2007, he will find that my second and third questions were about why there was a need to change CMEC's role from being an Executive agency of the DWP. It is an issue that we have raised throughout the Bill's passage.

Mr. Plaskitt: Absolutely; I do not deny that for a moment. The hon. Gentleman and his colleagues certainly raised questions about it, and we had a prolonged discussion, but I do not recall them raising any objections—which is a different matter—or suggesting that it was an inappropriate decision or the wrong direction to take. Of course he raised questions, as he should, but he did not object to it.

Mr. Heald: I am sorry to have disappointed the Minister earlier. Nevertheless, does he not agree that the effect of the arrangements that he proposed, at least initially, was to distance the new body from Ministers relative to the situation that we have at the moment? There is no doubt that an executive agency is much closer to Ministers, as part of the Department, than what he proposed originally or proposes now. It is a more distant arrangement, as Lord McKenzie said.

Mr. Plaskitt: It is distant, but that does not mean, as the hon. Gentleman previously implied, that Ministers have shirked responsibility. Yes, a greater distance is involved and the commissioners running the NDPB have greater autonomy than senior officials running an agency, but the ultimate link of accountability, which is established by the legislation, is not broken.

Mr. Heald *rose—*

Mr. Plaskitt: I shall give way once more, and then I want to return to answering the points raised in the debate.

Mr. Heald: The Minister is being generous, and I am happy to make this my last intervention.

If the Minister accepts that the relationship is more distant for Ministers than the one that went before, is he not also saying that Ministers are taking less responsibility? If that is the case—as it must be, logically—is he not distancing himself from failure, as Lord McKenzie said?

Mr. Plaskitt: That is not the way I was taught logic. It does not mean that at all. The relationship can be more distant in terms of the taking of day-to-day operational decisions. There may be a greater distance from Ministers in that they will not have to sign off such decisions, but that does not water down in any sense the ultimate ministerial responsibility for what happens. The commission is given by statute—by Parliament—the core objectives that it has to achieve. Ministers will then set targets to turn those objectives into deliverable realities. Whether that happens or not remains ultimately the responsibility of a Minister who is accountable to Parliament. There is no shirking of responsibility; I hope that I have satisfied the hon. Gentleman on that point.

I want to wrap up by returning to the three-year review, which seems to have concerned hon. Members. I shall try to resolve this matter, as well. The three-year review is not a new idea that we came up with in the later stages of the passage of the Bill. The argument that some Members used to underline their concern is that the review will somehow unsettle the staff of the agency. Let me make it clear that I have had meetings with hundreds of the agency's staff. They know that the process is subject to a review, and they have always been clear about that. They have welcomed our decision to give Crown status, and they have always known that it is a renewable decision. The review has not in any way diminished their welcome of what we have done; they understand the way we are proceeding.

As I said when introducing this group of amendments, in any subsequent review, the issue that will dominate will be the position of the staff. It is sensible to suggest that there might be a review because there might be a wider cross-government review of Crown status, but there are also issues specific to the commission. After three years, the new body will have had time to settle down: staff will be more familiar with the way in which it operates; issues about terms and conditions will have become much clearer; the size of the staffing that the commission wants will be clearer; its business plan will be apparent; and its performance will have settled down. In that sense, some of the issues that have given staff concern with regard to the disappearance of civil staff status may no longer concern them, in the light of three years' worth of experience of operating in the commission. That is another reason it makes sense to review the process.

The review will not be done furtively or secretively. The provisions are in the Bill, and everyone knows that a review will take place. Any change has to come through affirmative resolutions, as we have already established. We are being completely transparent on the matter, and it is understood why that has to be the case. It has not been a difficulty for the staff as some hon. Members have suggested. I am satisfied—I genuinely want to reassure hon. Members about this—that staff are pleased with the decision we have made, and support it, given all the conditions that I have just outlined. If Members care to check for themselves, they will find confirmation of that view.

I hope that I have responded to the points raised in the debate and that the amendments will be approved.

Lords amendment agreed to.

Lords amendments Nos. 2 to 5 agreed to.

New Clause

Lords amendment: No. 6

4.45 pm

Mr. Plaskitt: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker (Sir Alan Haselhurst): With this it will be convenient to discuss Lords amendments Nos. 90 to 92, 97, 101, 105, 118 and 119.

Mr. Plaskitt: This group of amendments relates to the assessment and collection of child maintenance, and the commission's responsibilities in dealing with concerns raised about the parent with care's ability to obtain the right level of child maintenance.

Lords amendment No. 6 places a duty on the commission to make investigations into any application from the parent with care for a variation to the maintenance assessment, if it is clear that further evidence would help the commission to decide whether a variation should be made. Currently, few applications for variations from parents with care are successful. Often, that is because the parent with care simply does not have the information necessary to show the agency why the variation should be made.

The amendment requires the commission to consider further information or evidence that is or could be available to it, including by reference to information that it is already in possession of, where it appears to the commission that to do so may affect its decision in respect of the variation. That will become particularly relevant once the data-sharing provisions with Her Majesty's Revenue and Customs are in place, as the commission may well have better access to information that would support the variation than the parent with care. The commission will be able to conduct investigations using information already held, for example by HMRC, or to seek fresh information from other sources, such as accountants, employers or credit reference agencies. This adjustment to policy was made in response to representations from groups representing parents with care, who find the current system inflexible and open to manipulation by unscrupulous non-resident parents who seek to conceal their real income from both the parent with care and the Child Support Agency.

A further amendment enables the disclosure to the commission of information provided in the context of family proceedings in court that is likely to be relevant to the commission's child maintenance functions. Currently, such disclosure brings with it a risk of contempt of court. That risk is removed by the amendment. This proposal was welcomed on both sides during the Committee stage in another place. To give a practical example of how it can help, there are cases—for example, in ancillary relief proceedings on divorce cases—where a non-resident parent discloses information on court documents about his or her income, or where the court makes a finding regarding the non-resident parent's financial circumstances, property or assets that were not previously known. Currently, that information cannot be passed to the Child Support Agency, which has to seek it again from scratch. The commission, by contrast, will be able to receive and use that information without risk of contempt of court.

The final amendment is a drafting correction and ensures that the commission has access to information on contributions held by Her Majesty's Revenue and Customs. That is to ensure consistency with arrangements already in place for the Child Support Agency. I commend the amendments to the House.

Andrew Selous: The official Opposition welcome the amendments in the second group, which, as the Minister said, cover three areas. Getting the assessments right is vital to the success of the commission. I am sure that the Minister will agree that the problems of the past were largely to do with the fact that the assessments were so ropey that they were disputed and delayed, and the parents who should have received the money did not receive it when they should have. The failure to get that right in the past has been at the heart of much of the CSA's difficulties.

Lords amendment No. 6 is clearly sensible in ensuring that the commission will be able to consider additional information or evidence where that appears appropriate, before deciding applications for variations made by a parent with care or, in Scotland, by a child over the age of 12. That prompts one to ask why the amendment is needed. One would have thought and hoped that the Child Support Agency would always have available to it the latest relevant data when determining variations of maintenance, but, as we said in our discussions on the first group of amendments,

[Andrew Selous]

perhaps some of us in this place did not do our job properly in relation to previous legislation. We should have made sure that such information was available to the CSA.

The second sub-group of amendments in this group relates to the passage of information between the family courts and the commission. The amendments will allow parties to specified family proceedings to disclose relevant information to the commission, which is clearly sensible. I am sure that the absence of those provisions from current legislation has hindered the CSA's work in the past. The general issue is about ensuring that the commission and the family courts work hand in hand and do not work against each other to undo their good work.

This is not the occasion on which to revisit the thorny issue of the 12-month rule—indeed, you would not allow it, Mr. Deputy Speaker—so I shall not go down that route. I hope that the Minister agrees that it is important to ensure that the family courts and the commission are not at war. They are basically in the same business: dealing with the tragic circumstances and trauma that occur when families split up, such as the need for specific care for children and, crucially, the need to ensure that the right amount of money gets through to the right parents. We support that.

The Minister was quite brief on amendments Nos. 118 and 119, which are, as he said, crucial to making sure that there is the fullest possible co-operation between HMRC and the commission. I have looked into the legislation that affects the information gateway between the tax authorities and the current CSA, and I believe that one of the most useful things that we can do this afternoon is to tease out why it has not worked in the past. We are not expecting any Divisions, so I ask the Minister to give maximum co-operation regarding my concerns on this issue.

It worries me—I say this to hon. Members on both sides of the House—that we are in the habit in this place of passing legislation, not using it fully and then passing more laws when things do not work. I have uncovered information that is directly relevant to amendments Nos. 118 and 119. I do not know whether the Minister is familiar with section 80 of the Welfare Reform and Pensions Act 1999, which Labour passed two years after it came to power. He is not nodding, so I shall give him a gentle introduction to it. *[Interruption.]* Perhaps he is familiar with it; I am delighted to hear that, but for the benefit of the House, I shall point out that section 80 places a requirement on the tax authorities and the CSA to pass information to each other about the earnings of self-employed earners. The explanatory notes to the Act state:

> "This provision allows the Inland Revenue, on a discretionary basis, to supply tax information it holds in respect of self-employed non-resident parents to the Child Support Agency (CSA). This is intended to enable the CSA to build up a financial picture of non-resident parents whose earnings either are not known or need to be verified."

That sounds excellent and sensible, but the information that I have, from talking to HMRC staff who have been seconded to the CSA and who deal with my constituents' CSA matters, is that that is not working. It worries me that Lords amendments Nos. 118 and 119 refer to this very area of co-operation between HMRC and the Child Maintenance and Enforcement Commission, despite the fact that we have passed measures on precisely the same subject not so long ago, and that those measures are not working as they should do.

I should like to illustrate this argument with three points. First, HMRC has its own construction industry system of record keeping, to which the CSA should be entitled to have access in regard to self-employed parents. However, I have received information that that is not the case, and that when form 721—which could provide the relevant construction industry information—is filled in electronically, those data are denied to CSA staff, who cannot therefore make a correct assessment and make the child support system work properly. What is the point of having legislation on the statute book if there is imperfect co-operation—or none at all—between HMRC and the CSA?

I did not give the Minister prior warning that I was going to raise this matter today, but it is a serious issue and I ask him perhaps to meet me afterwards and to look into the matter. The premise of the Bill is largely based on having better and fuller co-operation between HMRC and the CSA. In a recent parliamentary question, I asked the Chancellor of the Exchequer

> "what access HM Revenue and Customs staff seconded to the Child Support Agency have to HM Revenue and Customs data systems while on secondment".—[*Official Report*, 18 May 2008; Vol. 475, c. 1849W.]

The answer was that they have none, which was surprising.

Secondly, I have discovered that HMRC charges the CSA for information supplied on referrals—the charge is £3.79 per referral—whereas banks and other financial institutions have to supply that information for free. It seems pointless to have money going from one Government Department to another—that money has to be audited, and there are costs involved with that—when both the Departments involved should be co-operating fully with each other to ensure that the right money gets through to the right parents for the benefit of the children concerned.

Thirdly, will the Minister confirm with his colleagues in the Treasury that, when an IDG 43000 form is signed by a non-resident parent, it will trigger full co-operation between HMRC and the CSA? My information is that staff involved in the central policy information strategy at HMRC are not co-operative on this issue. There is no hope of Lords amendments Nos. 118 and 119 being successful if we do not get these co-operation issues sorted out. There is no point in passing more legislation when the present legislation is not being properly used. That does not fill me with confidence that the co-operation between HMRC and the staff at CMEC will be more effective in the future.

As I said earlier, I do not expect the Minister to have at his fingertips any detailed information on relations between his Department and the Treasury, or between the staff at HMRC and the CSA, but when he replies to this debate, I would be most grateful if he assured me that he takes the issue seriously and recognises that it is of the greatest importance that we get this right if we are going to make the CMEC work successfully. We both want the same thing—namely, to get the system to work—and, as I have said, I have current information from HMRC staff seconded to the CSA and who are dealing with my constituents that the system is not working satisfactorily at the moment.

5 pm

Paul Rowen: I, too, welcome the amendments. I am sure the Minister recalls that in Committee we also raised concerns about ensuring that all income is taken account of when an assessment is being made, and we provided examples of cases.

The hon. Member for South-West Bedfordshire (Andrew Selous) talked in particular about the construction industry and examples involving self-employed people in which it was quite clear that not all the information was being made available to the CSA. Therefore, the parent with care was not getting their full entitlement. Any steps that the Minister can take to ensure that when further information is made available it is not just accepted but properly investigated will be pertinent to the success of CMEC.

The hon. Member for South-West Bedfordshire made some relevant points about the operation of the CSA and the arrangement with HMRC. In Committee, we strongly laboured the point about the lack of consistency between the two Government agencies in ensuring that such information is made available. The Minister assured us that that would take place. I hope that the amendment and the new arrangements achieve proper follow-through on that. He knows as well as I do the figures on the amounts of money that are not being collected and the effect that that has on child poverty.

It is clearly important to all of us in the House that we have proper arrangements in place, so I welcome the amendment, which recognises that a parent with care can put forward more information and that the commission will properly investigate it. As the hon. Member for South-West Bedfordshire said, we need assurances on how the gateway between departments is working, because clearly it is not working at the moment and there is no point putting new legislation in place if we are not going to get it working.

On amendment No. 90, I again welcome the way the proposals are going with regard to disclosure of information through the family courts. As has been said, it is important that the family courts and the commission work closely together. Those are often difficult times for families, particularly the parent with care. Emotions are running high and lots of things are going on, so it is clearly important that the commission has access to information that will be revealed during any divorce settlement and that could materially affect the assessment that CMEC makes.

I want to question the Minister further on a matter that my noble Friend Lord Kirkwood raised in the other place. It relates to amendment No. 90, proposed new section 49AA(2)(c) and the use of the word "reasonably". The amendment says:

> "This section applies if…the party reasonably considers that the information is relevant to the exercise of the Commission's functions relating to child support in relation to the child."

If the commission was seeking information from the court, I could understand that it ought to act "reasonably" and not go on a wild goose chase, but we are talking about "the party"—that is, the person who may well want the commission to look at information revealed during family court proceedings. I do not want a clause in the Bill being used as a loophole for the parent without care to get out of supplying information that could lead to a better settlement being provided for the parent with care.

I would have thought that the parent with care, acting as the guardian of the child, would clearly be acting reasonably because they would want to put before the commission all information that would enable them to get a proper settlement, which would enable them to bring up the child properly. Conversely, the parent without care may not want to act reasonably, because he or she will not want to provide such information.

While the word "reasonably" may itself sound reasonable, it rings alarm bells for me. I can imagine the parent without care going to the court and saying, "It is unreasonable for that information to be provided." It should be for the commission to decide what is reasonable. The Bill states what information it can and cannot seek. We are not talking about debt collections, or information that could allow third parties to gain access to people's financial affairs. I agree with my noble Friend that the amendment is unnecessary, and sets alarm bells ringing in relation to why it is there in the first place. I hope that the Minister can clarify the issue, because I do not think that it was dealt with satisfactorily in the other place.

Mr. Heald: How will the data-matching proposed in Lords amendments Nos. 118 and 119 take place? Will it be possible to match records on the Inland Revenue and national insurance computers electronically with the commission's records on a "class" basis? Would the records of a class of absent parents who had not been making payments be run against the records on the national insurance recording computer?

How will this power be used? Have any contracts yet been let to computer companies or similar organisations? What will be the scale of the matching, in terms of numbers? Does the Minister envisage thousands of cases being matched each year, or will only a small number of individual cases be involved? Will he tell us a little more about the Government's thinking? What has been agreed with the Revenue, and what contracts are in prospect?

Mr. Charles Walker (Broxbourne) (Con): I did not serve on the Committee, but I was interested in the comments of my hon. Friend the Member for South-West Bedfordshire (Andrew Selous).

Obviously, when a divorce and separation take place the situation is extremely traumatic and emotional for all parties, but too often the need of the child is lost in the feuding between the two adults. I am especially concerned about the under-declaration of income by the self-employed. Divorced constituents have come to see me, women—usually—whose husbands were in well-paid jobs earning upwards of £50,000 a year, but whose annual income has suddenly and miraculously dropped to £10,000. Clearly their payments towards the upkeep of their child or children do not reflect either their earning potential or their actual earnings.

I am horrified that people can simply walk away from their responsibilities to their children. I know of one case in which two sets of lawyers are going at

[Mr. Charles Walker]

each other hammer and tongs trying to ascertain an individual's genuine earnings. The Child Support Agency cannot take any further action to recover meaningful amounts of money for the child's mother because it cannot prove that this gentleman's earnings are in excess of £10,000, although only weeks before the divorce they were £50,000 per annum.

I hope that, when income levels are in dispute, it will be possible for Her Majesty's Revenue and Customs to produce tax records so that a realistic amount can be paid towards children's upkeep after a separation.

Mr. Plaskitt: We have had a useful debate. I agree with the hon. Member for South-West Bedfordshire (Andrew Selous) about the importance of co-ordination between the courts and the commission. As he said, they are ultimately in the same business, and we shall seek to ensure that there is sufficient co-operation between them.

We have had a fair amount of discussion on the exchange of information between HMRC and the CSA, or the commission in the future. I hear the concerns that have been raised about the way in which the exchange operates currently. The collaboration and exchange of information is critical and the links have to work. HMRC data are important to enable the agency now and the commission in the future to deliver the kind of effective maintenance agreements that we all want to see in place. Already HMRC data are being deployed and, in many cases, are helping the agency to establish the whereabouts of the non-resident parent.

The information is also helping the agency to establish the real income levels of a non-resident parent because, as the hon. Member for Broxbourne (Mr. Walker) has indicated, many non-resident parents sadly will resort to all sorts of tactics and subterfuge to try to conceal income and, let us be blunt, will tell barefaced lies to the agency about what they earn. HMRC may have more robust information on income that is much harder for the individual to conceal. The exchange of that information will clearly be crucial to help us ensure in future that we have robust maintenance agreements in place that deliver.

The hon. Member for North-East Hertfordshire (Mr. Heald) asked about the extent of data matching and the exchange of information that will be required. This will be a matter for the commission, once it is established as a proper legal entity, to discuss with HMRC. They will want to draw up a protocol about how they will achieve the exchange of information. He asked on what scale the exchange will be. I anticipate that it will be on quite a large scale because we are looking for a robust system that ensures that we have accurate information about non-resident parents' true levels of income. There will be hundreds of thousands of people in the system, so I imagine the exchange will be on a significant scale, but the technicalities as to how that will be done will be caught in any protocol agreed between the commission and HMRC once the commission is in a position to initiate these negotiations.

Andrew Selous: There is also the issue of expenses. Section 80 of the Child Support Act 1991 did not mention charging. My information is that HMRC charges £3.79 per referral. In answer to my hon. Friend the Member for North-East Hertfordshire, the Minister said that the exchange could be extensive. Has CMEC in its preliminary budgets put in a couple of million pounds to pay HMRC? Is that sensible? Do we really want money going from one Department to another in this way?

Mr. Plaskitt: Interestingly we are now going back to the discussion from the first group of amendments on the extent of ministerial involvement. One of the reasons for going for a NDPB was that negotiations of that sort no longer require ministerial approval. The commission will be anticipating the need to have a provision in place to meet that requirement. The extent of it and the terms of any negotiation between the commission and HMRC will be for the commission. I cannot anticipate what it will say about that. It is very much an issue that the commission will have to sort out with HMRC, but it is aware of the context in which that exchange will operate.

Mrs. Dorries: I am delighted to hear that the cross-referencing of data will be robust, but one way of using that information less would be for the Government to get the message out to absent parents that it will be difficult in future to avoid providing information or making payments. Many of my cases are fathers who do not feel that they should be paying at all for their children and feel they are being unfairly charged. As well as putting these systems in place, should there not be some method of providing a wider message to the general public to let them know that the system will become much more robust and tougher?

5.15 pm

Mr. Plaskitt: The hon. Lady raises an interesting point. One thing that has bedevilled the agency's performance in this respect is what I sometimes refer to as reputational harm. Unfortunately, too many non-resident parents who do not have—shall we [illegible]—a high inclination to pay have come to believe that if they duck and weave for long enough and are canny enough about what they do, the agency will not get them. There has been a certain culture in that regard among a minority of non-resident parents who refuse to own up to their obligations; it has been the talk in the bar room, as it were. That has been damaging and harmful and has served only to encourage non-resident parents who do not want to face up to their responsibility. She is right: they need to understand that that is not an option. Yes, the relationship may have ended, but the responsibility does not. The agency—in future, the commission—is going to ensure that the culture changes and that there is not an option of walking away from that responsibility.

I think that that is already starting to happen. We do not have to wait for the commission to come into existence for there to be new and tougher enforcement powers or more effective action. That is already happening in respect of the agency, which, as the hon. Lady may well know, is taking a record number of actions against non-resident parents. In the last year, some 114,000 individual sanction-type actions were taken against non-payers. She will also know that, armed with the additional powers that we have already given it, the agency is collecting a record amount of maintenance. The maintenance collected has just passed £1 billion a year for the first time in the agency's history. She will also know that it is collecting record levels of arrears—£120 million in the past year—and that arrears are now growing at the slowest rate ever.

Some of the new powers that we have already given the agency are quite simple ones, such as the ability to collect outstanding arrears over the phone. While the agency official is in conversation with the non-resident parent, they can say, "By the way, the arrears are such and such. We now have powers to come after you and get this. If you want to pay us now using your debit card, you can do so." It is amazing how successful that has been. That simple measure has brought in more than £20 million in arrears already. Also, the fact that the agency can now inform non-resident parents who have not been paying that that power exists and could be used has encouraged them simply to pay up, in recognition of the fact that if they try to delay any longer, the situation will get worse for them. The mere arrival of a letter saying, "We might have to refer your debt to a private collection agency", has caused them collectively to hand over £6 million, because they do not want the debt collection agency on them.

The hon. Lady is therefore right, in that the message has to be very strong to non-resident parents that non-payment is not an option. What makes that a strong message is their understanding and awareness that the agency—the commission to be—has very strong powers and they cannot escape its establishing their true income position. Moreover, once it has that knowledge, it has behind it painful enforcement powers, should the non-resident parent think that they can go on ducking. So the switch in credibility, backed with stronger enforcement powers, is already delivering far higher levels of compliance and payment, and the new commission will acquire even more powers on top of those already given to the agency. The message is therefore changing and will continue to change. Her point is well made.

Mr. Heald: Is it part of the thinking on amendments Nos. 118 and 119 that if national insurance records can be checked, the commission will be aware much more quickly that somebody has started work? Is that the reason regarding national insurance contributions, or is it locating people, or a bit of both?

Mr. Plaskitt: It is a mixture of both. Of course, one of the tricks that the unwilling non-resident parent sometimes gets up to is constantly moving employment, but also literally constantly moving. I see nods around the Chamber, and I have had such cases in my constituency. Such movement makes it incredibly difficult for the agency to catch up with people who are pulling every stunt available to avoid payment. The more the information is at the commission's disposal to keep tabs on those individuals, the harder it will be for them to evade their responsibility.

Andrew Selous: Will the Minister give way?

Mr. Plaskitt: If it is on the point that we are discussing.

Andrew Selous: I have been listening carefully to the Minister. Perhaps I missed it, but I have not heard him say that he will examine the three specific cases I mentioned where non co-operation is taking place. He praised co-operation where it takes place and he expressed the reasons for it, but I cited three specific ways in which it is not working. I was told about them just this morning by an HMRC member who has been seconded to the CSA. I am greatly worried and would like to hear that the Minister will take some action and perhaps meet me to discuss the issues.

Mr. Plaskitt: I beg the hon. Gentleman's pardon, because I meant to cover that point. The information that I have been given is that six HMRC tax inspectors have been seconded to the agency and they are in six different locations. I understand that they are helping agency staff to deal with the particularly vexed issue of working out how to assess the income of self-employed non-resident parents, which has been mentioned. He has raised specific concerns about areas where he thinks that that might not be working, and I shall examine those. I should have given him that reassurance, and I am happy to do so now.

Mr. Walker: Let us consider a situation in which a self-employed individual is declaring an income of £10,000, which is considerably less than they are probably earning, and they then realise a capital asset of £1 million but that cannot be included in the settlement. That asset has a notional income—if it is invested in the stock market or in a high-yielding savings account—of about £50,000 a year. Is there any way of taking such income into consideration when coming up with settlements?

Mr. Plaskitt: Yes. If the hon. Gentleman is able to stay for further considerations this afternoon, he will see that we are coming to that very point. I am grateful to him for raising it, but I offer him that little tempter to follow the proceedings even further.

I do not think that there is the loophole that the hon. Member for Rochdale (Paul Rowen) fears, and I want to reassure him on that. The reason we think it important to include the word "reasonably" in respect of information from the parent with care is, as he might realise if he were to think about some of the cases that he has seen, that it is still an important safeguard to have in place. We are often dealing with individuals who have resentments against the former partner, for one reason or another, following the break up of the relationship. It is possible even for the parent with care sometimes to continue taking perhaps vindictive or vexatious action against the person who has become the non-resident parent.

If any submission could be made by the parent with care to the commission to further a dispute about a real level of income without there being any grounds to sustain it, there is a risk that the commission would be swamped with all sorts of initiatives to go after establishing true income levels when there is no robust evidence to suggest that the non-resident parent is trying to mislead the commission. It is sensible for us to require that the commission initiates investigative action of that sort, and we are strengthening its duty to do so, as I think the hon. Gentleman realises, but it is reasonable that we should in turn require the parent with care to put up reasonable grounds for suggesting that the commission should do that. That means that

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we will keep the commission efficient and its efforts concentrated on where they are likely to produce results.

Paul Rowen: I would accept that point if the word "reasonably" were in Lords amendment No. 6, but it is in Lords amendment No. 90, which amends information about proceedings available in family courts. They are a matter of record; the information will have been put before the family courts. We cannot introduce any more information, and I honestly do not see why there is a need to include the word "reasonably". The information is either there or not there; it can be put before the commission, which can consider it or not. The word "reasonably" makes no difference other than to the other side if it wants to avoid that information being made available.

Mr. Plaskitt: I can reassure the hon. Gentleman that the inclusion of that word does not in any way water down the obligation on the parties for full and free disclosure of information during the court proceedings. Failure to do so would be a contempt of court.

I think that I have covered all the points raised and I hope that the amendments will secure the approval of the House.

Lords amendment agreed to.

Clause 21

CURRENT ACCOUNT DEDUCTION ORDERS

Lords amendment: No. 7.

Mr. Plaskitt: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to discuss Lords amendments Nos. 8 to 85, 96, 98, 99, 102 and 122.

Mr. Plaskitt: This group of amendments relates to the powers available to the commission to tackle non-resident parents who continually fail to meet their financial responsibilities to their children. A particularly important suite of measures in the Bill allows the commission to target non-payers directly through their bank accounts, using deduction orders. The powers were discussed at some length in Committee, and I agreed then with hon. Members that it would be desirable to make the commission's options in this respect as wide as possible.

The Bill as we debated it in Committee limited the powers to the use of periodic and lump sum deductions from personal current accounts, and to lump sum deductions from personal savings accounts. It therefore excluded deductions from business accounts, and from joint personal accounts. The amendments widen the primary provisions so that no type of account will be excluded on the face of the Bill. The details of accounts which will be excluded, if necessary, will be set out in regulations. That sends the right message to those thinking about trying to evade their responsibilities, and allows the powers to be exercised flexibly by the commission in the years ahead by making proposals to Ministers on the content of regulations. It also gives us the necessary flexibility to consult and co-operate with the financial services industry, to ensure that we take due account of its concerns about, for example, cost of administration, and to allow us to keep abreast of changes in the provision of financial services. Regulations under these powers will be subject to the affirmative procedure.

The Bill has also been amended to allow the commission to apply for a freezing order in relation to property or assets held by a non-resident parent where it becomes apparent that he or she is about to dissipate those assets. We have also added an additional power to allow the commission to make an application to the court to set aside a disposition made by a non-resident parent where it was made with the intention of defeating a claim for child maintenance. These are powers that were supported and, in some cases, proposed by Opposition Members, and I am pleased that there is so much common ground between us on the need to provide the commission with the powers necessary to bear down on non-resident parents who are not meeting their obligations.

Furthermore, following concerns raised about the recovery of historic debt, the Bill has been amended to ensure that all new and existing powers to collect child maintenance can be used on debt of any age. We have already amended regulations so that there is no longer a six-year time limitation for an application for a liability order on debt that accrued on or after 13 July 2000. However, there is some debt that had already reached six years of age before then and the amendment ensures that when the new administrative liability order comes into force, the same enforcement mechanisms can be used on all debt regardless of age.

Finally, the Bill will be amended to provide for a court-based mechanism for the removal of travel authorisation—passports and, in due course, the equivalent provision in identity cards—from non-resident parents who wilfully neglect or culpably refuse to pay their child maintenance. It is an equivalent procedure to that which applies already for driving licences.

5.30 pm

As my colleague Lord McKenzie of Luton pointed out when the amendment was tabled on Report in the other place, we proposed it in response to legitimate questions from the Select Committee on the Constitution of that House concerning the importance to the individual of holding a passport and the fact that decisions to withhold such documents are usually made by judicial determination.

The amendment means that the commission will have to apply to the court for an order to disqualify the non-resident parent from holding or obtaining travel authorisation, rather than being able to take the action administratively. However, I hope that we can all continue to reflect on which decisions need to be made by the courts and which could be made more effectively by administrative action. To that end, we reserve the right to come back to the House to reconsider which decisions should fall within the commission's remit. However, this arrangement is appropriate for this Bill.

I hope that when we return to the matter, Opposition Members will approach it in the same spirit of consensus that we have seen with other tough enforcement measures, such as the powers to enter bank accounts that I described. The amendments are in many cases a welcome strengthening of the powers that we originally proposed for the commission, and many of them pick up suggestions from Opposition Members. I commend them to the House.

Andrew Selous: The third group of amendments that we find before us, which relate to deduction orders and preventing avoidance—the issue that was rightly raised by my hon. Friend the Member for Broxbourne (Mr. Walker)—and travel restrictions, are all amendments with which those on the Conservative Front Bench find favour, not least because some of them are our very own.

Amendments Nos. 7 to 23 are clearly sensible. They relate to the setting up of regular deduction orders. It is important to note that there is a right of appeal to the court should there be a problem with CMEC taking money from someone's account. If that is wrong or unreasonable in any regard, people have a right to go to court. It is important to mention that. The amendments are an additional useful part of the toolkit that we are giving CMEC. We welcome them because they are necessary.

In particular, I want to congratulate my hon. Friend the Member for Forest of Dean (Mr. Harper), who served with me on the Conservative Front Bench during our scrutiny of the Bill. In relation to clause 10, I think that it was my hon. Friend who spotted in Committee that current and deposit accounts needed to be specified on the face of the Bill to cover every type of bank account to ensure that those parents who owed maintenance did not set up accounts that were not touched by the regulations. It is good to see that specification.

Amendments Nos. 24 to 49 relate to lump sum deduction orders. The Minister has already spoken a little about people paying by credit card and paying off arrears that they owe. The orders will be another means by which those arrears can be paid. The Conservatives continue to take the issue of debt very seriously. It weighs heavily on those parents to whom child maintenance is due. They feel that the money is owed to them, that they have been cheated of it and that their children have not had the benefit of it. We will certainly be vigilant in ensuring that the commission is fearsome in collecting that money, which is owed to many children up and down our country.

Amendments Nos. 50 to 52, 96 and 98 are very important and deal with the precise point raised by my hon. Friend the Member for Broxbourne. They can both prevent and then set aside afterwards the disposal or transfer of assets in order to avoid legitimate child support maintenance payments. That is important. All too often, money is transferred into different accounts—perhaps into a new girlfriend's account—so that it cannot be touched, and someone then says, "Look at me. I'm penniless. I've got a couple of pounds in my bank account and no income." Such things happen. As the Minister said, people are pretty savvy and have worked out ways to avoid their obligations in the past. The important message that needs to go out is that the net is closing, as was suggested by my hon. Friend the Member for Mid-Bedfordshire (Mrs. Dorries), who is another of my parliamentary neighbours.

Lords amendments Nos. 53 to 82, 99, 102 and 122 will put the removal of passports or identity cards on to the same basis as the removal of driving licences and the imposition of curfews. The commission will be required to go the courts in the first case to take away someone's driving licence or to impose a curfew on them. It was therefore pretty surprising to me, my hon. Friend the Member for Forest of Dean and my noble Friend in another place, Lord Skelmersdale, that the Government intended to remove passports purely by administrative order and, moreover, not just by the commission's staff. Let us remember that, as we heard earlier, many of CMEC's functions could be contracted out, properly, to private businesses. So an individual, perhaps relatively lowly, employed by a private business somewhere could have the power to take away someone's passport.

We understand the need to have the threat of taking away passports. Indeed, I was conscious of the fact that the Australian Child Support Agency was doing that some time ago, when the Select Committee on Work and Pensions visited Australia in the last Parliament to look at how its CSA seemed to work rather better than ours. I welcome that power—it is important—but I hope that it never has to be used. No one takes any joy in the fact that someone's passport or ID card is taken away, but the threat of doing so is important to bear down on those people who try to avoid their responsibilities.

The Minister is right in that he and his parliamentary colleague the Minister in the Lords, Lord McKenzie of Luton, were rapped over the knuckles by the House of Lords Select Committee on the Constitution. The Committee's report states that the Minister in this place was trivialising the removal of passports. He said that the holding of a passport

"relates to discretionary activity—the drive to go on holiday, for example".

Many of us thought that that did not take into account the fact that we are a trading nation and have been for hundreds of years. Many people need to earn their living by going outside these shores to provide an income to their families and to the children of their former families. I am pleased that, after some persuasion by the House of Lords Select Committee on the Constitution, the Government changed their mind. However, I have a couple of questions about the removal of ID cards, which the Minister referred to earlier.

The Government want to introduce identity cards. That is a source of political dispute among various hon. Members on both sides of the House. Assuming that identity cards are introduced at some point in the future—not a prospect that I personally welcome—I wonder whether the Minister will explain the position of someone whose identity card is removed. Will people perhaps be unable to gain access to benefits in any shape or form? Will they be unable to gain access to the health service in any shape or form if their identity cards are removed? If they are stopped by the police and the police have the right to inspect our identity cards, will they just get a white pass because their ID cards have been taken off them by CMEC? I

[Andrew Selous]

hope that there are some fairly clear answers to those questions. If not, there will be considerable problems.

I listened very happily to everything that the Minister said, until about the last three sentences of his remarks, when he rather alarmed me by saying that the Government reserve the right to return to the issue of removing passports by administrative order. That seems a bit strange.

We have before us a hard fought for, much argued over amendment that we finally got right in the House of Lords, which says that a court should be approached when someone's passport is to be removed, but the Minister now says that that is all subject to review and that there may be a return to administrative orders at some unspecified point. That is a bit like the situation regarding the reviews that will be held on whether CMEC will continue to have Crown status. That worries me, because it seems a little different from the spirit of the agreement struck on the issue in another place by my noble Friend Lord Skelmersdale and Lord McKenzie of Luton. I seek reassurance from the Minister that the part of the Bill in question will not be changed by some regulation or other in future.

Paul Rowen: I, too, welcome this string of amendments. As the Minister knows, during proceedings on the Bill we raised a number of concerns about ensuring that collection and enforcement were as wide as possible. We gave examples of people who were transferring income and selling off assets without any collection taking place under the current CSA regime, so I welcome the fact that the amendments widen the scope of the bank deposits that can be dealt with. They will now include business deposits in cases where it is clear that money has been transferred from personal accounts into them to avoid payment—we have heard examples of such cases—and joint accounts, where there has been a hiding of income. The Bill will also allow lump sump payments and deduction orders to be paid. All that is to be welcomed.

I particularly welcome the Minister's commitment that the six-year rule will no longer apply. Throughout proceedings on the Bill, we expressed concerns on the issue. When we come to the next string of amendments, we will consider debts and arrangements for dealing with historical debts. It is important that we send a clear message to people, particularly parents without care who may seek to avoid paying their dues. I am sure that, like me, the Minister has many constituents who have suffered under the current arrangements with non-collection and non-payment. I am grateful for the fact that the stringent regulations will be subject to regulation by the court, so if the parent without care feels that CMEC is being unreasonable, they can go to court to seek redress; that is an important safeguard. Notwithstanding that, the measures send a clear message that we will make sure that dues are paid, and that all accounts and assets will be considered when an assessment is made.

With regard to travel arrangements, I welcome the fact that the Government accepted a point raised by my noble Friend Lord Oakeshott. It was wrong of the Government to think that they could put a travel restriction on someone by administrative order. The fact that that was admitted is to be welcomed; travel restrictions have to be dealt with by the proper authorities, with reference to the courts.

In conclusion, I welcome the amendments. In due course, the orders that put the provisions into operation will be introduced. The Bill will be much better as a result of the amendments. What was in place before would have restricted CMEC's ability to go about its duty.

Mr. Heald: I support the idea that a passport can be taken away from someone who wilfully does not pay. There may often be a poetic justice in that. A number of cases have been brought to my attention in which the complaint has been that the absent parent was away overseas on holiday. Often, they had taken the children on holiday, although they were not paying for the absolute basics of life for them. The parent with care may be grinding away, trying to survive, while the other party flaunts their money by going on holiday. Taking away a passport is a strong incentive to perform for the parent who is supposed to be paying.

5.45 pm

I agree with the other sentiment that has been expressed—that that should not be done by administrative order, particularly in circumstances where the responsibilities can be outsourced to a company. It is a dangerous road to give a judicial function to a body that is nothing to do with the Government or the judicial system. I am glad that the Minister has thought again about that. He might want to reflect on other similar disposals—the football hooligan who is told that as a consequence of offending, he may not go abroad to watch England play and that his passport will be confiscated for the period when the match takes place, or the driver who has too many points on his licence or commits a road traffic offence and has his licence taken away. That is always done by a court.

The Minister should give the House the assurance sought by my hon. Friend the Member for South-West Bedfordshire (Andrew Selous), that he will not review the provision and come back with the idea of an administrative order. The measure should stay in the judicial area and should be subject to the decision of a court.

Mr. Walker: I realise that I am probably the Minister's worst nightmare—some sort of idle Back Bencher pottering in from one of the Commons Corridors and taking part in a debate on a Bill although he did not serve on the Committee—but I am interested in the matter.

I welcome what the Minister said about pursuing people who have cash assets that lie outside income. I would be interested to know what will happen in instances where someone takes a cash asset and transfers it into a fixed asset—for example, they have £10,000 in cash in an account and buy a new car for £10,000, or they have a larger sum, say £150,000, and buy a house to hide it from the clutches of the CSA or the courts.

Where such circumstances are identified, will there be powers to require such a person to borrow against that asset to pay the money that they owe, or to sell the asset so that the cash can be liberated and paid back to their partner? Alternatively, a notional income can be attached to those assets. If a person buys a house for £200,000, owns £150,000 of that and has a £50,000 mortgage, the income that can be derived from the £150,000 can be part of the calculation. I should be interested to know what the position would be in all those circumstances.

On travel restrictions, I am always concerned when the state talks about taking away people's passports. It sounds a little like Big Brother. Conversely, I am attracted to the idea of stopping parents pleading poverty, as both the Minister and my hon. Friend the Member for North-East Hertfordshire (Mr. Heald) rightly identified. Some parents plead poverty, yet travel on a two-week vacation to Disneyland Florida. As my hon. Friend pointed out, one parent may be living almost entirely on benefits and bringing up the children day to day, while the former husband or partner is travelling north America at great expense. That does not seem fair.

Finally, what are the logistics of the process? If the intention is to go after cash in bank accounts or cash in fixed assets, how will that be done smoothly, seamlessly and quickly, without loads of lawyers becoming involved and loads of appeals lodged? The process could take years. I have seen at my surgery people's absolute reluctance to face up to their responsibilities. I shall be interested to know how we will ensure that the process is speedy. With those concluding remarks, I can reassure the Minister that that will be my last contribution to the debate, as I have some constituents coming in this evening, whom I will be looking after later.

Mr. Plaskitt: In that case, perhaps I had better begin by responding to the points raised by the hon. Member for Broxbourne (Mr. Walker) so that I can release him from these duties as quickly as possible. Let me begin by telling him that he is no nightmare; in fact, I would go so far as to say that those were dream questions, and I will give him the answers.

There is already in place a significant array of powers that the existing agency can use to deal with assets that can be seized in certain circumstances. Indeed, if the non-payment and non-co-operation have gone so far that the agency has set bailiffs on, the assets can be taken in that way. Far from that process taking years, as the hon. Gentleman suggests, it can sometimes move quite swiftly. For example, a charging order can be placed on a property. Obviously, it will not be realised until that property is disposed of at some point, and that will take time, but in the end the money is collected. As he and his colleagues have said, this is about getting a message out there. Non-resident parents need to understand that whatever wheeze they come up with, it will not work, and that the agency—now to be the commission—has such an array of powers of seizure and sequestration that the assets cannot be hidden for ever. From now on, in addition to being able to go into bank accounts and take money out directly, make deductions from earnings and so on, we will have a suite of measures targeted at financial and physical assets, so that resources cannot be parked in those areas in order to escape the responsibility of paying child maintenance. The hon. Gentleman raised the right points—that is why I called them dream questions—and I hope that the answers will not cause him any loss of sleep.

Let me turn to the points raised by the hon. Member for South-West Bedfordshire (Andrew Selous) about the withdrawal of passports. Everyone who has spoken in the debate has reiterated their support for this measure in principle. The hon. Member for North-East Hertfordshire (Mr. Heald) welcomed it for the reasons that he outlined—that it is galling for the parent with care to see a non-resident parent who is pleading poverty taking sometimes quite exotic overseas holidays. That rubs what is happening in the face of the parent with care. It is therefore appropriate that there should be a power to remove passports to cut out that option. Often, it is not the act of removing the passport that is necessary to do the trick, but the threat that that can happen: the mere knowledge that that might well happen if things get to a certain state is enough to make the non-resident parents cough up at some point. The test is not how often passports are withdrawn but the effectiveness of having the sanction in place.

The hon. Member for South-West Bedfordshire asked how this might work in respect of identity cards, once they are in place. The way that it may work technically is that the identity card owned by the non-resident parent would have to be surrendered and replaced with an alternative card that did not have the travel authorisation element to it, but all the other functions for which it is necessary to have an ID card could continue to be carried out.

Let me say to those who have raised concerns about this that many preliminary steps have to be gone through before it gets to the point where the travel documentation is removed. It will not be removed in some arbitrary way, as was implied in some of the comments that have been made—it is very much a final step after many preliminary actions have taken place. Those safeguards are already in place. The only reason we are saying that this might still be subject to review—the hon. Member for South-West Bedfordshire asked about this because he was concerned about the last few sentences of my speech—is that it is important to see whether continuing to go through the court-based route, as we have now accepted we will, imposes unacceptable delays in the administration of this sanction that might have the effect of devaluing it in some way. It is proper for us to be up-front and to say that if that happens—it has been suggested to us that it might be an issue—we would want to have the right to come back to this sanction, because it has to bite and be understood to have teeth. If the court proceedings route proves to get in the way of its effectiveness, it will be right to come back and reconsider the administrative route. Further primary legislation would be required, so there will be any amount of opportunity to revisit it. We have taken fully on board the points made by the Constitution Committee, but I am not going to say that it cannot be reconsidered at some point in the future.

Apart from that, I have heard broad acceptance for and a welcoming of the amendments, which strengthen the Bill in a way that those who moved them intended. I am happy to take them into account, and I hope that they will be accepted by the House.

Lords amendment agreed to.

Lords amendments Nos. 8 to 85 agreed to.

Clause 30

POWER TO ACCEPT PART PAYMENT OF ARREARS IN FULL AND FINAL SATISFACTION

Lords amendment: No. 86.

Mr. Plaskitt: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this we may discuss Lords amendments Nos. 87 to 89.

Mr. Plaskitt: This is a small group of amendments dealing with debt, which was debated in some detail in Committee in both Houses. We have again listened to those comments and concerns and therefore agreed to amend the Bill in two important areas. The first relates to the sale of debt—the factoring of debt to third parties to pursue it, as provided for in clause 34. We have amended the Bill to specify that regulations will include a requirement that the consent of the parent with care be sought before any such arrangement is entered into. Similarly, we have amended the provision in clause 32 for accepting part payment of arrears as full and final settlement to specify that regulations will again include a requirement that the consent of the parent with care be sought in advance, before that is done. The amendments clarify policy in terms of the Bill, and I commend them to the House.

Andrew Selous: Conservative Front Benchers support Lords amendments Nos. 86 to 89. I raised this issue in Committee on 11 October last year, when I moved amendment No. 21 to clause 29, which would have required the commission to obtain the permission of the parent with care in writing in order to reduce the liabilities owed to them. I am pleased that that is now in the Bill. It was a concern also widely shared by the Liberal Democrats and others.

We are aware of the global figures of £3.7 billion of debt, of which it is generally agreed that about £1.5 billion is collectable. However, this must be gone through on a case-by-case basis. I brought a constituent to see the Minister—he kindly agreed to that—who was owed nearly £40,000 by the father of her two boys. That money was genuinely owed, and based on legitimate income that her former husband had been receiving. She is absolutely determined to get the money back because it will restore the years that the locusts have eaten. This issue goes deep into the heart of non-resident parents who care about this. They think that their children have been deprived of certain things in their childhood and want to make that up to them in later life, perhaps with a deposit on a house because they could not give them treats when they were younger. That is an entirely reasonable expectation. It is up to the parent to whom the money is owed to give their say-so if there is to be any reduction in that money. It is not a question of just tidying up CMEC's books to make it look it better so that it can give a better annual report to the Secretary of State, which then comes before Parliament, that says, "We've got the debt mountain down." We should not look at the matter from that point of view.

This was another occasion when the Government got their fingers rapped by a House of Lords Committee—the Delegated Powers and Regulatory Reform Committee. In paragraph 152 on page 29 of its third report of the 2007-08 Session, the Committee said that the

> "principles of the sale of child maintenance...should be fully debated in Parliament when regulations are first laid under these powers."

I am pleased to see that one of the Minister's colleagues in the other place referred to that report and agreed to amend the Bill accordingly. Again, that shows support for these important amendments. A vital principle is involved and we shall be pleased to see them included in the Bill.

6 pm

Paul Rowen: We, too, welcome the amendments. The Minister will recall that in Committee a major concern of ours was that the creation of CMEC should not be used as an opportunity to forget about or write off large historic debts. I therefore welcome the effect of the amendments, which will give the parent with care the final say in whether the debt is written off, and ensure that they must agree to any selling on of that debt. However, I would like to question the Minister about how that will operate. He and I, having dealt with several constituency cases, can imagine circumstances in which there is a long-outstanding debt of a large sum of money, such as the one mentioned by the hon. Member for South-West Bedfordshire (Andrew Selous), the children involved have grown up, and a letter arrives from CMEC with an offer.

Will the Minister tell me what safeguards will be put in place to ensure that the parent with care can seek advice, if they are concerned about the proposal? Will the full details of any settlement be explained to them? If they are owed £40,000, an offer of £20,000 may be acceptable, but will CMEC offer a full assessment of why that amount should be accepted? I would not want a situation to arise in which a letter drops through the letterbox asking for written permission without the possibility of further discussion, face-to-face consultation or further advice before such an offer is made.

As we have said, we are talking about huge sums of money—more than £1.5 billion—and throughout their childhood an awful lot of children missed the opportunity to benefit from it. Will the Minister assure us that there will not be an automatic write-off or selling on of debt? There must be safeguards in place to ensure that the parent with care, and perhaps even the child, who may have reached adulthood, has a say and can have a proper discussion about what an agreement might mean to them. That is important if we are to take forward the provisions, which I welcome.

Mr. Plaskitt: I am grateful to the hon. Members for South-West Bedfordshire (Andrew Selous) and for Rochdale (Paul Rowen) for their support for the amendments. From our constituency casework, we know the prevalence of debt and the strength of feeling that there is about it. We know that some of the amounts involved are very large indeed, as with the constituent I met accompanied by the hon. Member for South-West Bedfordshire.

There is considerable emphasis in the operational improvement plan currently applied to the agency on improving its debt collection performance. I am pleased that the relevant measures being taken are having the intended result. The agency's target is to collect £200 million of debt a year—a sum that has never been achieved before—and it is on course to achieve that. The extra measures that we put in place have enabled it to perform more strongly in debt collection and the amendments will allow even more progress to be made. There is a certain stickiness in attempts to resolve the issue at the moment because of the current regulatory framework, which is why we have accepted the changes and put them into the Bill.

To reassure the hon. Member for Rochdale, let me repeat that there is no general power of write-off. That would not be acceptable and it is not part of the Bill. It would be completely contrary to our message about the settling of such debts. Let me also try to reassure him that the parent with care is in control in this process; it would not be a case of a letter suddenly arriving saying, "This is what we think you should settle for. Sign here. "It will not happen like that. A deal would be under consideration only after lengthy discussion between the parties involved, and that would happen only if the parent with care agreed to it. That is the important consideration in this case. I hope that I have given the hon. Gentleman the reassurance he seeks.

Jenny Willott (Cardiff, Central) (LD): If the initial amount of debt in the name of the non-resident parent is recalculated at a much lower level because the original figure was unrealistic, will the Minister confirm that CMEC will provide some basic, plain English letters and information to the parents with care? A concern has been raised by parents with care that the information they received was difficult to understand. When something as difficult to cope with as a significant reduction in the amount of money that they are expecting arises, it is important that they get clear information.

Mr. Plaskitt: The hon. Lady makes an interesting point about alterations in the level of debt. Historically, that has often happened because of the difficulties the agency has had in making the correct maintenance assessments in the first place, which led to wild variations in the assessment of debt in certain cases. That process needs to be stopped so that there is greater certainty about what is owed. The measures on current maintenance assessments and those that relate to the way the commission will operate are designed to put a stop to the volatility of debt assessments because the maintenance assessment will be correct from the start and will stay correct. We will no longer get such a wild oscillation, which the hon. Lady is right to say is distressing for parents with care who do not understand where they stand, and cannot make financial plans because they are not sure what the amount will be.

The hon. Lady's second point about the need for correspondence from the agency and the commission to be absolutely clear is also well made. We have made that very clear to the commission, and the matter should be dealt with in that way. This area is difficult enough as it is without incomprehensible correspondence making it worse. That point is understood by the agency, which is reviewing the way letters are written, and that process will be carried forward into the work of the commission.

We have had statements of support for the amendments, and I hope that they will now secure the support of the House.

Lords amendment agreed to.

Lords amendments Nos. 87 to 92 agreed to.

Clause 50

APPEAL TO APPEAL TRIBUNAL

Lords amendment: No. 93.

Mr. Plaskitt: I beg to move, That this House agrees with the Lords in the said amendment.

Madam Deputy Speaker (Sylvia Heal): With this it will be convenient to discuss Lords amendments Nos. 94, 95, 100, 103, 104, 120, 121, and 123 to 125.

Mr. Plaskitt: We come to the final group of amendments. They are minor and technical, and in most cases reflect the recommendations of the third report of the Delegated Powers and Regulatory Reform Committee of the House of Lords. The amendments change a number of the regulation-making powers from the negative to the affirmative procedure on the first point of use. The relevant powers are those relating to the monitoring of curfews and regulations prescribing the conditions of entitlement to a lump sum payment for mesothelioma.

The group also contains a number of small drafting amendments to ensure consistency, including one to ensure that any reference to maintenance calculations under section 40A of the Child Support Act 1991, relating to an order for committal in Scotland, may be read as a reference to maintenance assessments, so that the provision will operate in relation to both old and new scheme cases.

In commending these final, technical amendments to the House, I should like to extend my thanks to all who have worked on the passage of the Bill, including Opposition Members and those in another place who have ensured that it emerges improved as a result of the scrutiny that it has rightly enjoyed. The Bill contains important measures. It makes important reforms to the way child maintenance is administered and will help to lift many more children out of poverty, ensuring that more children receive the maintenance due to them and that more parents meet their financial responsibilities. The Bill also introduces a new scheme to pay a lump sum to sufferers of mesothelioma, providing financial support to anyone diagnosed with that dreadful disease.

I should also like to thank those external stakeholders who have contributed to the development and improvement of the legislation, including One Parent Families/Gingerbread, Families Need Fathers, Resolution, the Law Society of Scotland and many others. I know that they will work with the commission and its staff to give the best possible start in life to this new and unique delivery organisation.

Andrew Selous: As the Minister said, we have now come to the final group of amendments. When I see a group of amendments headed "Minor and technical", I am always tempted to go through them carefully, just in

[Andrew Selous]

case the Government are trying to sneak through something important. However, in this case the Minister has been straight with us, as he has been during the course of the Bill, and it has been a pleasure to work with him.

The Minister again mentioned the Delegated Powers and Regulatory Reform Committee of the House of Lords—the second time it has been mentioned this afternoon. It is obviously a worthwhile Committee that carefully scrutinises what happens in this place and the other place. The Minister noted that there are three changes in this group of amendments to ensure that resolutions go through under the affirmative procedure, which I am sure will please my hon. Friend the Member for Buckingham (John Bercow), who mentioned the issue at the start of our proceedings this afternoon.

I am reassured that the four lobby groups, if I can call them that, that beat the main path to the Minister's door are the same ones that came to see me. One Parent Families/Gingerbread was understandably assiduous in its commentary on the Bill. Families Need Fathers is one of the sensible, mainstream fathers organisations—it is to be distinguished from some of the others, which are not—and I have benefited from my discussions with it.

Resolution is particularly well informed on such issues, as the Minister said. He and I know that it would have liked him to go further on certain issues. Those are arguments for another day, but they will not go away. The Law Society of Scotland has its particular issues. There was an acknowledgment in the other place of the need to continue talking to Resolution and the Law Society of Scotland about the 12-month rule. The Minister has said that he wants good co-operation between the family courts and CMEC. They are in the same business and they want to achieve the same ends; we just have to ensure that they do not trip each other up, as it were.

I should like to pay tribute, as the Minister did, to those who have worked with us on the Bill during its various stages, including my staff who have helped me greatly.

6.15 pm

Paul Rowen: I, too, welcome the proposals contained in this string of amendments. The change from the negative to the affirmative resolution procedure is a recognition that this House and the other place have a positive role to play in amending regulations and orders. That issue was raised during our deliberations, and although it may have been because he had his knuckles rapped by the Delegated Powers and Regulatory Reform Committee, I am grateful that the Minister has nevertheless seen fit to make those changes.

I welcome some of the provisions in the Bill. It focuses primarily on child maintenance and child poverty, as has much of our discussion, but it also deals with mesothelioma and other payments, which are relevant to my constituency. I also welcome the fact that the Government responded quickly to the concerns that hon. Members raised once the Law Lords had made their decision.

The passage of the Bill and this string of amendments, dealing with the affirmative resolution procedure, are to be welcomed. I thank the Minister and the Opposition spokesman, the hon. Member for South-West Bedfordshire (Andrew Selous), for the constructive way in which we have conducted this debate. That we have discussed a series of Lords amendments this afternoon that basically deal with the concerns we raised in Committee reflects the fact that we have gone through a useful process that has improved what I hope will be a cornerstone of legislation to tackle child poverty.

Organisations such as One Parent Families/Gingerbread and Resolution are to be congratulated on the support that they have given us all, in providing amendments that have finally found favour with the Government today. I thank all hon. Members who have contributed to a useful and important Bill.

Mr. Plaskitt: I again thank the hon. Members for South-West Bedfordshire and for Rochdale for their support for the amendments in the group and for the Bill in general.

As the hon. Member for Rochdale said, the Bill is a landmark piece of legislation, in terms of what we hope it will achieve on behalf of children, who have no part in the break-up of their parents' relationship but who can sadly suffer as a result. It is therefore necessary that appropriate arrangements be put in place to ensure that the obligations towards the children are met in way that, wherever possible, ensures co-operation with parents, but is firm with those who might otherwise feel that they have the option not to comply with their obligations. They do not.

As hon. Members have said, the Bill has received thorough scrutiny. I feel that I am supposed to be displaying bruised knuckles as a result of some of the comments that have been made, but such comments are part of the ordinary scrutiny process that Bills go through. We have tried to take on board the comments made by those Committees that have been part of the process of deliberation on the Bill, as well as by other parties. The efforts that we have made during the passage of the Bill have, for the most part, been entirely constructive—we have done more of this work this afternoon—as a result of which we now have a better Bill.

Lords amendment agreed to.

Lords amendments Nos. 94 to 125 agreed to.

Energy from Renewable Resources

6.19 pm

The Minister for Energy (Malcolm Wicks): I beg to move,

> That this House takes note of European Union document No. 5421/08 and Addenda 1-2, draft Directive on the promotion of the use of energy from renewable resources; notes the Government's support for the European Commission's proposal for increasing the renewable energy share of final EU energy consumption to 20 per cent, by 2020 as part of a balanced energy mix; further notes the importance of the Commission's parallel proposals in the EU package for strengthening of the EU Emissions Trading Scheme, so as to provide the basis for a global carbon market and enable emission reductions to be made in the most cost-effective way; recognises the significant contribution that attainment of the renewable targets can make to the European Union's efforts to tackle climate change, enhance geo-political security of supply and provide the EU with the opportunity to capitalise on significant business and innovation benefits; further recognises the ambitious nature of the proposed legally binding targets; and urges that the Directive should be revised to provide Member States with sufficient flexibility as to ensure that the overall EU and Member State renewables targets can be achieved in a cost-effective way.

Hon. Members will be aware of the clear context for this debate. We face two major energy policy challenges: tackling climate change by reducing greenhouse gas emissions, and ensuring our nation's energy security. In response to those challenges, Heads of Government at the 2007 spring European Council agreed ambitious targets to deliver a 20 per cent. reduction in EU greenhouse gas emissions by 2020, increasing to 30 per cent. when there is an international climate agreement. They also agreed to ensure that 20 per cent. of total EU energy will come from renewable energy sources by 2020. The European Council also endorsed measures to support carbon capture and storage and to improve the functioning of the EU emissions trading scheme, which is the centrepiece of the EU's carbon reduction policy.

The climate and energy package that the Commission published in January seeks to give legislative effect to those goals, and represents a landmark package that underpins our global objective of securing a comprehensive international agreement to tackle climate change. It is an important signal of the EU's ambitions to shift to a low-carbon economy and to conclude successful climate negotiations at Poznan and Copenhagen. In line with the overall EU renewable energy target, the Commission has proposed individual, binding national targets on renewable energy, including a 10 per cent. minimum binding target for the use of renewables in transport, which is to be achieved by each member state. An overall 15 per cent. renewables target has been proposed for the UK, which compares with our current figure of less than 2 per cent.

Renewable energy is already an integral part of the UK's energy strategy, and we are taking significant steps to drive up the level of renewable energy used domestically through a comprehensive raft of measures. The renewables obligation has been our primary instrument for incentivising renewable growth and has led to a near tripling of renewable electricity generation since its introduction [illegible] 2002. The planned reform of the renewables obligation alone will mean that generation will triple again by 2015. The reforms will provide increased flexibility so that different levels of support can be given to different technologies. That will allow more renewable generation from a wider range of technologies and will set us on a path to meet our more challenging 2020 target. Policies to address key constraints arising from planning and grid controls will also play an important role.

Mr. Mike Weir (Angus) (SNP): The Minister mentioned the changes in the renewables obligation. I have already raised with him my concerns about experimental schemes such as those in the Moray and Pentland firths. I very much fear that the change in the ROC—renewables obligation certificates—banding will impact seriously on their ability to operate in future. Is he considering that possibility? Does he propose to make any changes to ROCs to address those concerns?

Malcolm Wicks: I want to be clear: is the hon. Gentleman talking about marine technologies—wave or tidal?

Mr. Weir: Yes, I am. I have written to the Minister about this matter, and I have raised it with him before on the Floor of the House. The ROC banding is a matter of serious concern for wave technologies.

Malcolm Wicks: Wave and tidal marine technologies have enormous potential and the hon. Gentleman, as an expert on this matter, knows that they are relatively new technologies. A number of first-class British companies have developed such technology, but there has been relatively little deployment or testing of appliances in the sea for any length of time. We have given considerable backing to the research and development of those technologies, and we have made available a fund to help to finance the deployment of such projects. Meanwhile, our reform of the renewables obligation will give two ROCs, to use the jargon, to marine technologies. I am confident that the UK Government are offering substantial support to that technology.

Mr. Weir: The point, which was raised during debates on the Energy Bill, is that although there are double-banded ROCs for those technologies, if they have previously received a grant from the UK Government, the EU or the Scottish Government, they have the choice of either repaying that grant or taking the double-banded ROC. The concern is that that will undermine their ability to develop.

Malcolm Wicks: Yes, they have a choice, and that must be a commercial decision. The Government are offering a significant amount of support through our research and development grants and the deployment fund, but I am always happy to talk those matters through with the hon. Gentleman, given his interest and expertise.

At the end of last year, we launched a strategic environmental assessment on a plan for up to 25 GW of new offshore wind development rights in UK waters. The plan could increase the potential for offshore wind energy generation by 2020 from 8 GW to 33 GW, which is enough power for 25 million homes—the equivalent of all UK homes. In case anyone who is listening is

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confused, let me add that I do not suggest that such renewable power would be the only means of providing electricity to our homes, as we need balance in our energy supply system, but that is the equivalent figure. We have also launched a feasibility study into a possible tidal power generation scheme on the River Severn—a project with the potential to provide 5 per cent. of the total UK electricity need.

We have recently introduced the renewable transport fuel obligation, requiring that an increasing proportion of our transport fuel should come from sustainable—that is the operative word—renewable sources. This year, we will overtake Denmark as the country with the highest operating offshore wind capacity in the world, and we are rated No. 1 as an investment location for offshore wind capacity by KPMG.

Sir Robert Smith (West Aberdeenshire and Kincardine) (LD): In relation to transport fuels, the Minister rightly says that the operative word is "sustainable". How confident is he that rigorous assessment is made to ensure that that sustainability is being delivered?

Malcolm Wicks: I will say something on that a little later, if the hon. Gentleman will forgive me.

Colin Challen (Morley and Rothwell) (Lab): On my hon. Friend's point about the UK being a favourable investment location, what is his response to the story in the press at the beginning of last month that outlined that Mr. Sambhi, Centrica's director of power, thought that there was a great deal of uncertainty about the future of offshore investment in the UK? Is the Minister familiar with that company's views and what is his response to it?

Malcolm Wicks: I have not heard about that. I talk to Centrica executives and chief executives quite frequently, and I have not picked up that criticism. I shall study those comments, although I reject any such criticism because not only are we discussing today our commitment to meet our share of the 2020 target but we are in the process of reforming the renewables obligation through the Energy Bill. Also, as I have just said, an organisation such as KPMG rates us as the No. 1 investment location for offshore wind generation, so I do not accept that judgment from an employee of Centrica.

The Government are fully committed to meeting their fair share of the overall target, but that is not to underestimate its ambitious and challenging nature. Achieving the UK target will require a step change increase in the proportion of our energy generated from renewable energy resources over the next 12 years—almost a tenfold increase. We will therefore consult over the summer on the most cost-effective way of meeting the UK's share, and will introduce a new renewable energy strategy next spring, after that consultation, that is consistent with our overall energy strategy, based on competitive markets.

Ms Katy Clark (North Ayrshire and Arran) (Lab): I strongly welcome much of what my hon. Friend says. It is clear that we are starting from a low base, as many European countries produce a great deal more renewable energy than we do. The lesson to be learned seems to be that feed-in tariffs have been very successful in many countries. Is my hon. Friend considering the application of such tariffs?

Malcolm Wicks: It is accurate to say that we are starting from a low base, but it is worth understanding the reasons for that. The fact that we have been blessed with huge amounts of oil and gas from the North sea and the UK continental shelf is one of the reasons why, historically, we did not invest in renewables. It is also fair to point out that, when we look at some of the nations that already produce a significant percentage of renewable energy, such as Germany, we see that much of that energy comes from hydro resources. As my hon. Friend knows, it is worth studying those comparisons. She also asked about feed-in tariffs. Our renewable energy strategy will be published soon, and we will say something about such tariffs in that.

There is much to be said for consistency in macro-renewables. We hear a lot about microgeneration; in terms of macrogeneration, the renewables obligation is, in my judgment, a success story. Every year now, we are seeing momentum towards renewable energy. We would have to think long and hard before changing horses and adopting another mechanism. We could lose a couple of years if we did that, and we are faced with targets that are coming up quite soon—in 2020.

Paddy Tipping (Sherwood) (Lab) *rose—*

Malcolm Wicks: Let me just finish this paragraph.

However, I said during the Committee stage of the Energy Bill—I repeated the point on Report—that, on microgeneration based in our own dwellings and perhaps in community buildings, including schools and community halls, there might well be a case for our doing more. I will not rehearse all the things that we are doing, but I am proud of what we have done. We are the first Government to publish a microgeneration strategy, for example, but there might well be a case for doing more. We will be outlining options in the renewable energy strategy. As I hope hon. Members know, I am very committed to the development of renewables.

Paddy Tipping: I am grateful for the "however". May I reinforce the point that the renewables obligation has been a success, and that investment requires a sustainable, long-term framework? The renewables obligation and feed-in tariffs can work alongside each other. If there is an area of weakness in which the Government need to do more, it is around microgeneration.

Malcolm Wicks: That is an argument that I think I have accepted. Sometimes, the debate about feed-in tariffs needs disaggregating. Some people might argue for feed-in tariffs as an alternative, which would involve the scrapping of the renewables obligation. Many others, however, are essentially interested in how we can further incentivise microgeneration.

Steve Webb (Northavon) (LD): The macro story in this directive is that the EU as a whole has to achieve a 20 per cent. goal. If Britain were an average-performing country with an average target, we would be going for 20 per cent., but we are not. We have been asked to achieve only 15 per cent., and we appear to be quibbling about that, as far as I can see. Will the Minister clarify whether we are being asked for only 15 per cent. because we have been so hopeless as a result of starting from so far behind, or is it because we do not have much renewable potential? How does all that sit with his assertion that we are No. 1 in Europe for renewables potential?

Malcolm Wicks: As I said, when KPMG was looking at the investment climate, it made a judgment that we were No. 1.

In answer to the question from my hon. Friend the Member for North Ayrshire and Arran (Ms Clark), I was attempting to remind the House of the history of this matter. Looking at the different countries involved, we see that this has a lot to do with their natural resources. I have mentioned hydro, for example. It also has something to do with some countries not having our reserves of oil and gas. As I recall, the hon. Member for Northavon (Steve Webb) is something of an historian, and a fair-minded man. I would urge him to be fair-minded on this. Long before most of us were concerned about climate change, the oil and gas coming from the North sea from the 1970s onwards was surely a reason why, compared with some other European countries, we were not investing in renewables.

David Taylor (North-West Leicestershire) (Lab/Co-op) *rose—*

Malcolm Wicks: My very short speech is turning into something slightly longer, but I like to please my hon. Friends.

David Taylor: I am grateful to my hon. Friend for giving way. In my humble opinion, he is one of the most successful Energy Ministers that we have had. He has a couple of flaws, however: a regrettable affection for nuclear power, and a relaxed indifference to the impact of open-cast coal mining. Will he react to the points made by my hon. Friends the Members for Sherwood (Paddy Tipping) and for North Ayrshire and Arran (Ms Clark) about Germany? I am a member of the Select Committee on Environment, Food and Rural Affairs and, as part of our inquiry into the citizen's contribution to climate change, we visited that country last year. There is a huge untapped well of potential support from citizens in this country, who need to be given sufficient encouragement. If a substantial feed-in tariff was at the root of what is happening in Germany, surely the Minister could be a little more positive about it here.

Malcolm Wicks: My hon. Friend is a great expert in this area, and he will know that the feed-in tariff system has been successful in Germany, but at some expense. At a time when energy affordability is the topic of the moment, along with the impact on our own constituents, I would ask him to look again at the considerable cost of the feed-in tariffs in Germany. I am now advised that they are propelling the German Government towards phasing down some of their financial support for that very expensive technology. Let us also remember that our objective is to bring on microgeneration, rather than to act as a fan club for one particular mechanism as opposed to another. We should all be open-minded about the best way of bringing on microgeneration.

Several hon. Members *rose—*

Malcolm Wicks: I am not sure whether I can please everyone, but at least I can give everyone a fair hearing.

Joan Walley (Stoke-on-Trent, North) (Lab): In view of what the Minister has just said about Germany, and of what he said to me in a letter on this very issue in March, in advance of the Energy Bill going through Parliament, and of the EU report's finding that now,

> "as in 2005, well-adapted feed in tariff regimes are generally the most efficient and effective support schemes for promoting renewable electricity",

will he share with us what work he has done on the competitive electricity market? That was one of the main reasons that he put forward earlier for not opting for feed-in tariffs.

Malcolm Wicks: That was quite a complicated question, and I want to ensure I have understood it fully. The point about competitive electricity markets and feed-in tariffs was the bit that puzzled me.

Joan Walley: In a letter to me on this subject, the Minister said:

> "However, it is not yet clear how feed-in tariffs would work with the UK's more competitive electricity market".

In view of what he is now saying about domestic microgeneration, can we now make some progress on that issue? Will he tell me how he has dealt with the competitive electricity market and whether there is now a possibility of making real progress towards feed-in tariffs?

Malcolm Wicks: Clearly, the reason that I did not understand the words was that I had written them in a letter to my hon. Friend. Obviously, I did not have time to write a clearer letter, and I apologise to her for that. A lot will come out in the wash when we publish our renewable energy strategy, which will happen quite soon. If, after that, I need to clarify anything for my hon. Friend, I am sure that there will be an opportunity to do so.

I shall now turn, at last, to the proposal itself. Because the cost-effective renewable potential of each member state was not taken into account in the setting of the targets, and because of the target's significant economic implications, it is imperative that member states are able to deliver their targets in a way that minimises the additional cost to consumers. I touched on this issue earlier when I said that affordability was very much the issue of the moment for many of our constituents.

It is also important that the EU should demonstrate to the wider world that it can achieve ambitious targets in a way that reinforces rather than hinders the competitiveness of our industry. Cost-efficiency is therefore essential to the credibility of the targets. In practice, this means that member states must have sufficient flexibility in meeting their targets, suited to national circumstances. The Government therefore support the principle of renewables trading between

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member states and derogations for exceptionally large projects that are not complete by 2020. I could be thinking of the odd barrage here or there. We welcome the indicative nature of the interim targets.

Biofuels were raised earlier. Sustainability is, of course—I wish to confirm this—our No. 1 priority. When the 10 per cent. target for use of renewables in transport was agreed at the 2007 spring European Council, at which it was acknowledged that the majority of the target would be met through use of biofuels, it was subject to two key conditions: it must be possible to meet the target sustainably and second-generation biofuels must become commercially available. Those conditions were reaffirmed in the 2008 spring Council conclusions and should be incorporated into the relevant articles of the renewable energy directive. Biofuel sustainability should also be required by the fuel quality directive.

The Government are pressing for robust sustainability criteria to be included in the directive to ensure that the biofuels targets will not have negative impacts on, for example, greenhouse gas emissions. That is hardly the result that we would want. Alongside that, the Secretary of State for Transport commissioned the Gallagher review to assess latest evidence of the indirect effects of biofuels. The review is due to report in June and will inform our position on the EU discussions. We will not agree to a target until we are convinced that adequate safeguards are in place to ensure that it can be met sustainably.

Mr. David Heathcoat-Amory (Wells) (Con): I am grateful to the Minister for giving way. This is obviously a controversial part of the directive because of the damage that could be done by biofuels to the environment and to food production. Is he happy that article 15 would explicitly prevent member states from having stricter sustainability rules than are provided for in the draft directive, which I think he is hinting are inadequate? They seem to me to be highly inadequate. Our existing domestic rules are stricter, so he would be switching strict national controls for laxer European ones by majority vote. That is obviously unsatisfactory. How does he see a way forward on that?

Malcolm Wicks: There is increasing concern not just in the UK but across the world and certainly across Europe about sustainability. I had hoped that what I have said would reassure the right hon. Gentleman that our voice in Europe will very much be on the side of sustainability. We are all concerned about the emerging evidence on producing biofuels instead of food crops. We are all aware that the rising price of some staple foods—rice, for example—is causing huge concern among the populations of many countries. I want to reassure him that we are pushing for sustainability. There will still be a significant role for biofuels and it is important that we do not throw the baby out with the bathwater on that issue, but sustainability is the crucial word.

Dr. Gavin Strang (Edinburgh, East) (Lab): I know that my hon. Friend recognises the distinction between biodiesel from oil seed rape and bioethanol from wheat or whatever, but may I ask him for an undertaking that the Government really will drive hard to insert the objectives that he has been setting out—the principles of sustainability—in the common agricultural policy? That is fundamental to our future direction in Europe and in the UK.

Malcolm Wicks: Yes, I can give my right hon. Friend that assurance and I am grateful to him for raising that matter.

The draft directive is being considered by the Energy Council and the European Parliament. The March European Council agreed that the package should be adopted before the European Parliament is dissolved for the 2009 elections to show EU commitment in the next round of international negotiations on a new climate change deal.

Peter Luff (Mid-Worcestershire) (Con): I sense that the Minister is drawing to a conclusion and I have been waiting to hear something that he has not said so far. He is right to express scepticism—it is implicit in the motion—about our ability to meet the targets implied by what the EU is asking of us, particularly on electricity generation, but he has said nothing about renewable heat. Is not that one of the really big gains that we could make as a society?

Microgeneration is important and feed-in tariffs are very interesting, but surely renewable heat is the big issue. How does it feed into the directive, if the Minister will excuse the pun, and has he anything to say on that important subject in the forthcoming statement on renewables?

Malcolm Wicks: Although I do not think it is relevant to the directive—I will take advice if I have that wrong—I want to reassure the hon. Gentleman, who is Chairman of the Select Committee on Business and Enterprise, that here in the UK we take the issue of heat very seriously. Looking back over more than one decade, if I may put it that way, one could accept that heat has been something of a weak link in energy policy. Despite some history in this country of interest in district heating and combined heat and power, we should acknowledge that.

The Office of Climate Change, which was established only a year or so back, looked at the issue of heat for one of its first projects—not just renewable heat and, for example, heat pumps, but the more general issue of how we can use the heat from power stations, for instance. The renewables side will be a feature of our renewable energy strategy.

In drawing my remarks to a conclusion, which I was about to do before the Chairman of the Select Committee intervened, may I say that we are absolutely committed to our share of the EU target? For different reasons, which most Members of the House—I cannot speak for all—would understand, different member states starting from different bases will have different targets. Our target will be 15 per cent. or thereabouts. It is a tremendous challenge, but one that the Government are committed to meeting.

6.46 pm

Charles Hendry (Wealden) (Con): First, I thank the Minister for arranging for the motion to be debated on the Floor of the House. That is an important contribution. This is a significant issue that many hon. Members will be keen to speak on.

The motion before us is really two motions. It begins with the normal, rather platitudinous statements that we have come to expect of such motions, saying how marvellous they are, but the key part is the last few lines, which contain the words

> "urges that the Directive should be revised to provide Member States with sufficient flexibility as to ensure that the overall EU and Member State renewables targets can be achieved in a cost-effective way."

We have had a couple of sentences from the Minister about flexibility, but not much about cost-effectiveness. I hope he returns to that issue.

There can be no doubt that the directive and the targets that it contains represent a significant challenge. In 1997, the EU set out the target that 12 per cent. of energy should come from renewables by 2010. It looks increasingly unlikely that that target will be met. The Minister is no stranger to the shortcomings of targets. The Government have had their own target that 10 per cent. of our electricity should come from renewables by 2010. Now they are saying that it may be only 8 per cent.

When it was clear that that target would not be met, it morphed into 20 per cent. from renewables by 2020. However, the Government's latest answer to a parliamentary question suggested that the figure could be as low as 12 per cent. There is clearly an enormous amount of work to be done if we are to have the step change that the directive would require.

The EU targets are not just for electricity; they are for energy overall. That represents a massive challenge. We will be required to bring 10 times more renewable energy on stream in the next 12 years as compared with the past 12. That is just for electricity. It involves nearly seven times as much energy from renewable sources as has been achieved already.

It has been calculated by those outside the House that a 15 per cent. energy requirement for Britain translates to 40 per cent. of our electricity having to come from renewables. How do we get there? That is one of the big challenges that we need to address. Peak usage in the UK is about 62 GW, and 40 per cent. of that coming from renewables would involve producing about 25 GW of renewable electricity by 2020. Most of that would have to come from wind power, because the other technologies simply are not yet in a position to deliver an amount of such magnitude. With a typical load factor of 35 per cent. for wind, we might be looking at 70 GW of installed wind capacity by 2020 to achieve that. That is a massive target, and nothing indicates that we are remotely on course to achieve it.

I recognise the investment that has been made in energy in the past and the huge contribution that it represents, but we are talking of an investment in offshore wind of a similar magnitude to the investment in oil in the North sea over recent decades. Doing for offshore wind what has been done for oil presents a big challenge. I also recognise the massive contributions that British companies are making. I know that the Minister visited the subsea exhibition here earlier today, but I do not know whether he saw, as I did, products being developed by First Subsea, which are making a huge difference to the ease with which massive structures can be attached to the sea bed.

British companies are leading the world, but the challenge is formidable, and we need to know how the Minister thinks it will be met. What contributions does he think will be made by different technologies over the time in question, not in percentage terms but in terms of output? If the technology does not come from wind, where might it come from? Marine technology will make a massive contribution in years to come, but we cannot realistically expect it to do so by 2020. According to reports published this week, the cost of solar energy has fallen significantly, but we shall not be able to make the most of that unless we have financial systems to stimulate the technology and make its use possible.

I was encouraged by the Minister's observation that there might be a case for doing more about feed-in tariffs, and I hope he will do more when the Energy Bill is debated in Committee in another place. Amendments will be tabled that will enable us to drive forward the agenda, and if no amendment on feed-in tariffs is tabled, both sides of the House will feel that a major opportunity has been missed. We also need to do more about microgeneration: it has huge potential, but without a system of funding through feed-in tariffs nothing will happen.

The Minister mentioned the Severn barrage. It is unlikely that it could be built by 2020. It has the advantage that, unlike most other forms of renewable energy, the power that it generates would be predictable, but it would probably not be much cheaper than wind. It would require a funding system all of its own, and it is not yet evident how that could be arranged. It would also raise huge environmental concerns. Some of those who have been involved in the technology believe that lagoons might be a better solution, and they might indeed be better for the environment, but they would undoubtedly be more expensive than the barrage. A couple of weeks ago, I visited La Rance in Brittany to see the largest working barrage in the world, built by the French 40 years ago. It is an incredibly impressive structure, which shows what could be done here but also highlights some of the challenges involved, including environmental challenges.

The problem is that the Government have signed up to a project without knowing how they will deliver it. Perhaps officials in the Department of Trade and Industry, as it was then, thought that the then Prime Minister, Tony Blair, would go to Brussels and sign up to a commitment for 20 per cent. of our electricity rather than for 20 per cent. of our energy. Their reaction was one of complete horror. Perhaps that poisoned challice was Tony Blair's parting gift to his successor.

We need to know rather more about the cost. In the explanatory memorandum, the Minister says that his initial estimate of the direct cost to the United Kingdom of the 15 per cent. target is at least £5 billion a year, plus indirect costs in higher energy prices. What does he mean by "direct cost"? Does he mean the cost of what he has described as the enormous investment in renewable technology and its infrastructure? Can he confirm that although it may include the cost of connecting renewable electricity facilities to the national grid, according to a study by Pöyry Energy Consulting, which his Department commissioned, it does not include the cost of the investment in infrastructure required to meet the target more generally?

[Charles Hendry]

Does the direct cost include the so-called resource cost—the extra cost to the economy of using more expensive sources of energy than could otherwise be used? Can the Minister confirm that the study by Pöyry Energy Consulting suggests that the resource cost will be at least €5.1 billion a year up to 2020, or, in current prices, about £4 billion? Pöyry also says that if an effective market does not develop for the trading of renewable energy and the United Kingdom has to provide for all its own renewable energy needs, that resource cost will rise to €6.7 billion, or £5.3 billion, a year. It says that the lifetime cost to the United Kingdom of meeting the target could be as high as €93 billion. Those are huge figures. In his motion, the Minister talks of cost-effective ways of delivering his proposals. What has he in mind?

At a time when consumers are profoundly worried about rising costs, what will be the cost to them? How will the Minister carry people with him? At present, if people were asked whether their priority was secure energy, green energy or cheaper energy, they would probably say that they wanted the cheapest possible energy. The age of cheap energy has gone, but in terms of what will be relatively achievable in the future, cost is clearly a particularly important aspect. Has the Minister had discussions with the CBI, the Institute of Directors and other business groups about the impact of these costs on the economic competitiveness of the United Kingdom? We all agree that this is the direction in which we should move, but surely we should do so with our eyes open and be aware of the costs involved.

Paddy Tipping: I am interested in the points that the hon. Gentleman is making, and I agree with many of them. He has stressed the key issue of affordability. Is he saying that his party accepts that energy prices will continue to rise?

Charles Hendry: We have all seen what happened to the predictions of the DTI and the Department for Business, Enterprise and Regulatory Reform about energy prices. There is a massive difference between those predictions and where the prices have ended up. Certainly for the foreseeable future, by which I mean the year ahead, it is hard to see how energy prices could do other than rise. It is likely that in the first quarter of next year gas prices will be 50 per cent. higher than they are now. The forward market in energy across the board is very high. We also know that for every 1 per cent. of economic growth, energy demand goes up by 1.5 per cent. Given that the Chinese and Indian economies are still growing at a rate of at least 4, 5 or 6 per cent., the energy supply will be very tight, and will continue to be expensive for the foreseeable future.

As the Minister will know, the directive is covered by article 175(1) of the treaty establishing the European Community. Can he confirm that such measures are covered by qualified majority voting, meaning that the British Government would have no veto over the proposals? Would it not be more appropriate for the directive to be covered by article 175(2), which relates to environmental laws that significantly affect

> "a Member State's choice between different energy sources and the general structure of its energy supply",

and under which there would be no QMV? The Government would then be able to use its veto.

Mr. Heathcoat-Amory: My hon. Friend is making a powerful point. He has already cited the unrealism of the targets, and the huge potential cost to our constituents. Does he think it wise for us to accept or negotiate a directive under majority voting that would render it beyond the democratic control of the House, and therefore our constituents, after the next election? Will he press very hard for a good answer to the question that he has just raised? There was an alternative—namely to found the measure on a different legal base subject to unanimity. Is that the policy that he would advocate?

Charles Hendry: I think there is a very strong case for unanimity to apply. That returns us to what the Minister said about biofuels. He said that unless the directive was adapted to take account of the Government's concerns about biofuels, they would reject it. However, under QMV, they would not be able to reject it There is a strong case for something of such fundamental long-term importance to be endorsed by all member states individually.

It is still far from clear what will count towards the renewable energy target. The Minister said that there should be trading, about which Baroness Vadera has spoken elsewhere. It is interesting to note that that is Government policy. Does the Minister envisage a limit to how much can be traded, or will he argue that no limit should be imposed on the grounds that a limit would restrict fair and free trade?

The Minister said that the major projects that would not be completed by 2020 should be included, citing the Severn barrage. How far advanced would projects have to be in order to be included? What if a project were due to be completed in 2022 or 2025? What cut-off date has he in mind?

Peter Luff: Has my hon. Friend yet met any independent expert who thinks that these targets are achievable? If they are not, a very worrying loss of confidence could be created in our whole environmental agenda.

Charles Hendry: There are certainly people who have a vested interest in the types of technology that would be used and who say that the targets are achievable, but even they would say that the targets are very challenging. All the independent experts are saying that "very challenging" is an optimistic phrase. I find it difficult to see how we get from where we are today to where we need to be by 2020 when I look at the huge investment that will be required.

Baroness Vadera has also suggested that nuclear power and coal-fired power stations equipped with carbon sequestration and storage should be included. What is the Government's position? Do they now consider both nuclear and carbon capture and storage to be renewable technologies—a difficult assumption to come to—or are they negotiating to have the definition of the directive broadened to be "low carbon" rather than "renewable"? I could see why other countries such as France or Poland would wish to encourage that, but we need to see what the Minister has in mind to try to take this forward.

The directive talks about the additional financial support that will be required for renewables and the Minister refers to this in the explanatory memorandum. Has he been able to establish what level of support will be required, how it would be delivered and whether he is completely satisfied that it can be given under EU rules on state aid? The directive would also require member states to give electricity from renewable sources priority access to the national grid. There is great merit in that idea if we want renewables to come forward, but can he confirm that he has made the nuclear companies aware of this? New build nuclear would require massive investment in the national grid, in part because the volume of electricity it will be generating would be so much greater than from existing power stations. Has he spoken to the nuclear industry to make it aware that its national grid needs would come behind those of renewable electricity facilities? What are the implications of that for a new fleet of nuclear power stations?

Steve Webb: Is the hon. Gentleman advocating that renewables should have a prior claim over nuclear in terms of access to the grid?

Charles Hendry: I accept that there is a need to look at the way in which the national grid operates. It does not make sense at the moment, where people are connected directly in the order in which they have applied. For example, a wind farm that does not have planning consent and will not get it for years will be connected before one that already has planning consent. That does not make sense. I believe strongly that there is a role in the debate for nuclear, but if we end up with a system in which investment in nuclear is put at risk because of that priority, that will need to be addressed. I do not think it is as straightforward as one or the other.

Dr. Alan Whitehead (Southampton, Test) (Lab): Does the hon. Gentleman note that article 14 of the draft directive states that member states should give priority connection to renewables? Does he support that part of the directive, disregarding its consequences, or is his support conditional and rather lukewarm?

Charles Hendry: My support is conditional. If we ended up with new investment in nuclear being put at risk by that one clause, that would give me profound concern. We have to look at the matter and I would be interested in the views of the nuclear industry. The future energy provision for this country is so finely balanced that to start putting in place artificial barriers would be counter-productive.

The Minister spoke at length about biofuels and the requirement that all member states get 10 per cent. of their transport energy from biofuels by 2020. I have referred to the fact that it would be better if this were done under a system of unanimity rather than by qualified majority voting. Clearly, attitudes to biofuels have been changing; perhaps we were overly positive a year ago and are now overly pessimistic, as we do not take sufficient account of the potential of second generation biofuels and cellulosic biofuels, allowing crops to be used for food and the remainder for fuel.

The directive rightly puts down many restrictions, but we need to know with clarity where the lines in the sand will be with regard to biofuels being included. This debate is bound to continue, especially in the light of the publication of a report by the scientific committee of the European Environment Agency which estimated that the amount of land required to meet the directive's 10 per cent. target is greater than the total volume of land available that could be used for bioenergy production without harming the environment of the EU. The scientific committee has gone further and called for the suspension of that 10 per cent. biofuels target. In the light of these concerns, does the Minister agree that there is a case for dealing with biofuels separately from this directive, so we can do so from a position of greater understanding about the full impact of their development?

Can the Minister tell us about the inclusion of biomass? At 350 MW, the Port Talbot renewable energy plant will be one of the largest in Europe. Although it is not renewable on a day-to-day basis, because the wood that it burns releases carbon, it produces renewable energy over the lifetime of the project, as the trees planted to replace those cut down for burning will absorb the carbon dioxide that the plant produces. Would such plants count towards our EU 2020 targets?

A lot of questions need to be answered. We are at times critical of the Government's decision to hold another consultation because they simply do not know which way to turn. But there is a strong case for further consultation on this exercise and it is crucial that industry and other interest groups take part in the programme. I hope that the Minister will make sure that there is a real understanding of the urgency. He talked about a renewable energy strategy being produced next spring. To many of us that is leaving it rather late. We need to push the programme as far forward as quickly as we can. What we do not have is time on our side. Every month of delay makes these targets even more challenging to reach. I hope that the Minister will be able to give us reassurance on these points of concern.

7.6 pm

Michael Connarty (Linlithgow and East Falkirk) (Lab): I thank the Minister, if he was involved in the decision to debate this subject on the Floor of the House. I certainly thank the hon. Member for Wealden (Charles Hendry) for what was clearly a speech based on having read the directive and the report of the European Scrutiny Committee report of 27 February 2008. The Committee was so concerned about the issues contained in the directive and the dilemmas facing the Government that we thought it should be debated here.

There has been some diversion from the task before us, which is to look at the draft directive. The Minister has got it right in the motion, which states that the draft directive

> "should be revised to provide Member States with sufficient flexibility as to ensure the overall EU and Member State renewables targets can be achieved in a cost-effective way."

Little has been said about the cost. The Minister's assessment to our Committee was that we would need an investment of £5 billion per annum between now and 2020 to reach the target of 15 per cent. The reality, as the hon. Member for Wealden said, was that we have fallen far short of our previous aspirations; they were aspirations and have not really been targets. The problem with the directive is that it gives the power to the Commission not just to set a target for 2020, but to review it every two years and to take action against states that do not reach their two-year targets.

[Michael Connarty]

Every country is expected to deliver a flowchart as well as a commitment to mandatory targets by 2020. The flowchart will be assessed every two years and the Commission can then use its powers. If it goes through by QMV, those powers can be punitive. The Commission can use the European Court of Justice to force countries to do what the Commission has decided they should do. Flexibility is desperately needed in relation to the directive because I do not believe that it is necessarily well founded.

Having viewed the EU for the past 10 years ~~as a~~ member of the Scrutiny Committee and as Chairman for the last couple of years, it is clear to me that Euro-fudges are driven by political alliances, often in the major states within Europe. It is clear that the alliance between the SPD and, it hopes, the Greens to get back into power in Germany has affected all energy policy in the past four or five years. The Green agenda—an anti-nuclear and pro-renewable agenda—is not necessarily based on what it should be based on: a carbon count. It should not be based on the form of generation, which should be sustainable and help security of supply, but on the basis of the carbon count of that type of energy. Yes, renewables might be shown to be a low-carbon form, but they are a very expensive low-carbon form and we have yet to deal with the major problems associated with it.

My hon. Friend the Minister referred to microgeneration. The point has been made that if grid access is challenged for a major base-load because of the problems associated with trying to get lots of microgeneration or small generation from wind farms, is that the right choice to make for the country and in sustainability terms? I believe that there was a motion before the European Parliament recently through which it rejected the biofuels proposal because of its effect on the sustainability of food production. I heard that a representative of the Commission's directorate-general said that there will be enough spare land when the common agricultural policy is properly reformed to allow Europe to generate as much biofuel as is required to meet its targets. I do not know whether that is likely to be more than a wish on its part.

On why we are at such a low base, we should consider paragraph 1.9 of our 15th report. On targets—this is the UK's own assessment—it said that we are

> "at less than 2 per cent…and only expected to rise to 5 per cent. by 2020."

This directive is asking for a massive increase in commitment to renewables, and it is not one that the UK can sustain, for a number of reasons that I have outlined. We are all dealing with one of those reasons at the moment: our constituents are fed up to the back teeth with the increase in fuel prices. Using biofuels will add to the cost of car fuel and to domestic fuel prices. We and the Government must take that into account—every Government in Europe has to take that into account, given the new range of costs of commodities such as oil and gas.

There is much to fight for in the directive, much that is good in it. However, on the question of unanimity versus qualified majority voting, raised by the hon. Gentleman, if I recall correctly, the Government's opinion was that article 175(2) should be used in respect of renewable fuels, so unanimity would be required. That has been resisted by the Commission. The Government's first task is to go back and argue the case. Our report points out that, following the 2007 spring European Council that approved the general outline of the White Paper and introduced the draft directive,

> "the Commission made a political commitment to all Member States that it would attempt to agree the national targets by unanimity."

The first thing that the Government must do is to ensure that these targets are agreed by unanimity. That means every country on that rather odd table appended to our report, which demands that we increase from 1.5 to 15 per cent., but which also demands that a country such as Sweden, which has a very good record, increases from 39.8 to 49 per cent. It might be more difficult for Sweden to achieve that than for us to achieve an increase from 1.5 to 15 per cent. It is as if the figures have been worked out on the back of the proverbial fag packet—on the basis of some rule of thumb made by a Commission directorate-general official. Unanimity is required first, and with unanimity comes the ability of our Government properly to negotiate and to get the flexibility that they are calling for in the motion, which I will support.

7.13 pm

Steve Webb (Northavon) (LD): Like other hon. Members, I welcome the profile given to this important subject by it being debated on the Floor of the House. The frustration, of course, is that we get 90 minutes, whereas if we were debating it upstairs in Committee, we would get another hour on top. Given the detailed nature of many of the issues that we want to raise, it is frustrating that so few of us will be able to contribute in any detail.

It is important to say a word or two about the context. The point of the directive is presumably to reduce our greenhouse gas emissions from energy, heat and transport, yet we are debating this issue on a day when the Office for National Statistics has published greenhouse gas emission statistics for the country showing that in the past eight years, our emissions have barely changed. On hearing the Minister talk about all the triumphs of British policy—on hearing how we are No. 1 at this and that and how we will hit these very bold targets—one would not realise that in the past eight years, we have made no progress at all in reducing our emissions. It is indicative of the lack of drive and determination that we have seen to date that we are starting now from where we are.

It is extraordinary for the Minister to say that the reason we are worst in Europe on renewables except for Malta and Luxembourg is that we have had all this oil, and so we were just going to use it and not bother too much about renewables. The former Prime Minister, Tony Blair, who signed last year's agreement on these renewables targets, is the same Prime Minister who 10 years earlier signed the Kyoto treaty. The Government were only a few months into power when they signed up to the Kyoto targets, yet 10 years later, we are still virtually bottom in Europe on renewables. Is the fact that we had oil somehow an excuse for our lamentable failure? That is what the Minister seemed to be implying—that we were not under any pressure because we had some alternatives, so we did not bother much with renewables. That is a shocking thing for a Minister for Energy to say.

I have to say that I do not hold this Minister personally responsible. He was not the one trying to solve the energy crisis—he was solving the pensions crisis at the time. We absolve him of having failed to solve the energy crisis because he was dealing with other big problems that have now been resolved.

Malcolm Wicks: The hon. Gentleman has provoked me. He is absolutely right: together with friends, we tackled the pension issue—with a little bit of scrutiny from him from time to time. However, the serious point is that I was going for a broader historical sweep, saying that in the 1970s—I was not talking about the past 10 years—we suddenly discovered this huge resource of oil and gas in our own backyard in the North sea, whereas other countries had to look at alternatives because they did not have that resource.

Steve Webb: I am slightly baffled by this. The argument for why, in 2005, on these figures, we were the worst in Europe seems to be that in the 1970s we found lots of oil. We signed up to climate change obligations in 1997, at the start of this Government's term of office, and for the best part of 10 years on we were bottom of the league. Even if we achieve the goals in this directive, we will still be 18th in Europe. Even if we achieve the targets that everyone is saying are bold and very demanding, we will "surge" to 18th in Europe. Is that not an indication of the paucity of the Government's achievements so far?

On the one hand, we are trying to cut our carbon emissions through the renewable strategy in the directive; on the other, we are seeing airport expansion and new coal-fired power plants. There is a lack of connectedness in this whole policy, which, again, is segmented into different Departments, none of which has overarching responsibility for the environment. The root cause of the failure of the Government's climate change policy is that no one in the Government with a very big stick is in charge of it. Whenever I do talks on climate change and the environment, I always ask audiences to name the Environment Secretary, and virtually none of them can. I mean no disrespect to the Environment Secretary; rather, that is indicative of the status of the environment within the Government. All the big decisions on the environment—be they on energy, airports, transport, housing insulation, green taxes—are all taken by somebody else. That is the biggest problem.

On the 15 per cent. target for the UK, the Minister said that we would do our fair share, but of course, we are not. We are doing below our fair share because we failed so much in the past and we start from so far behind. The hon. Member for Linlithgow and East Falkirk (Michael Connarty) suggested that these numbers are made up on the back of a fag packet. The directive indicates that one of the bases for the numbers we have signed up to is where we started from, which is a position of great weakness due to the failure of Government policy to date. One of the reasons our percentage is so low is that we have such a long way to go. It was extraordinary to hear the Minister say in his introduction that Britain is rated No. 1 by KPMG for offshore wind potential. That implies that we should have a really big target, because we have fantastic renewable potential. Actually, we have a below-average target because even with tremendous offshore wind and tidal power potential, we still cannot credibly get to more than 15 per cent., given how we have done. So the 15 per cent. figure—the fact that we cannot do any better than this—should be a source of national embarrassment, and even that looks pretty difficult to attain.

One issue is not clear to me. The Minister talked about 15 per cent. and then said, "or thereabouts". In responding to the debate, perhaps he can clarify whether the British Government are going to attempt to water down that target. The motion refers to "flexibility" on achieving that, and in the evidence that he has given on this directive, he talked about flexibility on the trajectory. He will know the directive contains a trajectory—an indicative trajectory—in annex 1B, which suggests that a quarter of the progress must be made by 2011-12 and that 65 per cent. of the progress must be made by 2017-18. I find that alarming, because it means that two years short of the deadline we will need to have made only two thirds of the progress. I hope that the Minister will correct me if my understanding is wrong.

I understand the point that there is a lag in these things and that they take time to come on stream, but that is an incredibly end-loaded approach. I think that the Minister's position is that he wants even more end-loading. Let us reflect on what the hon. Member for Linlithgow and East Falkirk just said. He seemed to say that we do not want penalties for really slow progress in the early years, because we will have this great surge in the end. My worry is that the British Government will say, "Tomorrow, tomorrow, tomorrow", but tomorrow may never come. Unlike the hon. Member for Linlithgow and East Falkirk, I think that the threat of imposing serious penalties on the British Government so that we can make steady progress as we go is a very good thing. It is entirely welcome because we know what the British Government would do without someone taking a big stick to them.

The Department for Business, Enterprise and Regulatory Reform has responded to the directive, producing a written ministerial statement on 23 January. It was totally delusional. It is baffling to realise which country is being referred to when the Department describes the situation. I have not got time to go through it all in depth, but paragraph 13 states that we

> "are aggressively implementing our micro-generation strategy."

Which microgeneration strategy are the Government aggressively implementing? I have not noticed it. They are opposing the only microgeneration strategy in town—feed-in tariffs—for now, because they are going to consult on it in the summer. They will probably eventually give in on that. Where is the aggressive prosecution of the strategy?

The whole document is full of delusion about the position that we have reached. Paragraph 14 states that

> "we will need to do even more."

It then discusses heat, a crucial subject about which we have had a brief discussion. There was nothing on

[Steve Webb]

renewable heat in the Energy Bill. Why? Guess what? It was because we will need to do even more. We will need to incentivise renewable heat, which is why we are told that

"we will shortly be issuing a call for evidence".

When are the Government going to get on with it? A legislative opportunity is going through the House at the moment that would allow any necessary legislative steps to be taken on renewable heat, yet there is to be a call for papers and perhaps a conference. Perhaps I could attend that, to listen and debate. Perhaps there could be a further consultation draft.

Malcolm Wicks: I shall tell the hon. Gentleman where he can help me. When I receive representations from Liberal Democrat MPs and Liberal councils trying to block the development of renewable projects, as frequently happens, will he come with me to those meetings to urge his colleagues to walk the walk, rather than just talk the talk?

Steve Webb: I would be interested to receive specific examples. I was talking about the topic of renewable heat, and I am not aware of any Liberal Democrat council in the country that is—*[Interruption.]* The Minister has swapped to wind farms; I am talking about heat and his answer is wind farms. Will he deal with the specific point I am making about the failure to address renewable heat? We are also failing on renewable transport, and the renewable energy policy is already years behind schedule—that is a pretty poor combination.

We could do with answers on a couple of other specific issues. I would be interested to learn what projections the Minister has made of the contribution of renewables and the contribution of Scotland to his overall totals. To what extent does his Department examine particular sites, areas or nations in the United Kingdom? To what extent will the Government in Scotland's attitude to, for example, onshore wind, be a barrier to the Government achieving the targets in this directive? Has he examined that matter?

We have heard about priority grid access, which is mentioned in the directive.

Mr. Weir: Will the hon. Gentleman give way?

Steve Webb: I hope that the hon. Gentleman will forgive me if I do not. He has intervened on a number of occasions, and I want to give him a chance to speak.

The issue of priority grid access came up during our debates in the Energy Public Bill Committee but nothing happened, as far as I can tell. The directive refers to it, implying that there would be priority grid access, but it is not clear to me whether or not there is, or what the Government's position is.

My hon. Friend the Member for West Aberdeenshire and Kincardine (Sir Robert Smith) referred to the renewable transport fuel obligation, and the Minister said something rather strange. He said that we must not have a target unless we are sure about sustainability. I thought we already had a target and that it had come in a couple of months ago. I thought that we now had a 5 per cent. obligation on biofuels, yet in only a couple of months' time the Government's review will assess the sustainability issue. Are we obliging transport operators to use a percentage of renewable fuels without having robust certification in place now? In other words, are we doing damage now by introducing an obligation when we are not yet satisfied that we have reliable certification? That is my understanding of where we are at, and that concerns me a great deal.

It would have been a great joy to have gone through the entire ministerial written statement pointing out the absurdities and the complacency, yet it would also have been a great sadness, because these are important issues. We want these goals to be achieved, because we think that they are a legitimate priority for this Government. That is why we will support this directive tonight, but we urge the Government not, as is hinted at in the motion, to try to water it down in the negotiations. We urge them not to try to have opt-outs, get-outs and British exemptions. Would it not be great if, for once, Britain was leading the way, rather than having to plead for special terms because we have failed so much in the past?

7.25 pm

Ms Katy Clark (North Ayrshire and Arran) (Lab): I strongly welcome the fact that we are getting the opportunity to debate this draft directive on the Floor of the House because, as has already been made clear, achieving the targets will have substantial implications for many areas of policy. I welcome our focusing clearly on the document before us, which highlights the fact that previous attempts to meet renewables targets have not been very successful. In 1997, a directive setting a non-mandatory target of 12 per cent. by 2010 was not successful, and, as has been said by many hon. Gentlemen, it will be very difficult for us to meet the targets being set by the European Union.

Although it will be very difficult to meet, it is very important that we sign up to a mandatory target on renewables of 15 per cent. As has been said, we are starting at a very low base. There are many reasons for that, but part of the cause is that we have not taken earlier challenges as seriously as we should have done. We need to accelerate our approach in many areas of policy if we are to meet the targets being set by the directive.

The debate on these issues often focuses strongly on electricity, which is, of course, an extremely important factor. However, it is only one of the areas that we need to examine, and it is clear that if we are to meet the directive's targets, the renewables sector will have to be substantially developed. I welcome what the Government have done on renewables obligation certificates—ROCs—particularly the provisions of the Energy Bill. They introduce enhanced ROCs in relation to other forms of renewable energy.

We need to go further than that and we need to examine what has worked elsewhere in Europe, so I urge the Government to re-examine the issue of feed-in tariffs, particularly in relation to micro-generation. However, I am not of the view that we should move away from ROCs, because they have been exceptionally successful in encouraging the private sector to invest in research and development and in the expansion of renewables that we so desperately need.

The table provided to us from the European Scrutiny's 15th report of Session 2007-08 highlights the situation in which we find ourselves; the UK is starting from a very low base. Only 1.3 per cent of our share of energy came from renewable sources in 2005, which compared with Sweden's 39.8 per cent., Portugal's 20.5 per cent., Finland's 28.5 per cent., and the Czech Republic's 6.1 per cent. We are very low down the table. I believe that only Luxembourg with 0.9 per cent. and Malta, a small island without a history on renewables, came below the UK.

We need to see significant changes in policy if we are to achieve the kind of development that we need. Like many hon. Members here tonight, I have a constituency interest, in that a range of planning applications is pending, including for wind farms, which provide part of the solution, but only a very small part. We need to look at all the other forms of renewable energy that are available, and ensure that we enable speedy research and get the financial resources to put into development. We do not know for sure which forms of renewable energy we will rely on in the future, so we have to put a financial regime in place that encourages development of all the various forms.

We also need to recognise that we are not talking only about electricity generation. To meet our carbon targets, we need to ensure that we are more effective in our use of the electricity that we produce. That goes beyond this directive, but will be essential in ensuring that we meet our targets. Transport will also have a major role to play, but that is an issue for another day.

What is important in this debate is not our discussion today about the exact method used to meet these targets, but whether we should have the targets at all. If we sign up to the directive and the potentially legally mandatory targets, action could be taken against us if we do not meet them. I support the Government's courageous position, in Europe and domestically, on the Climate Change Bill, which contains mandatory targets for carbon reduction. This directive fits well with our domestic policy, and for that reason I strongly support the Government's position on the directive.

7.32 pm

Mr. Mike Weir (Angus) (SNP): I was interested in the animated discussion with the Minister about oil reserves. History is being rewritten, but if Scotland had been given its oil all those years ago, the Minister would have been saved a lot of angst.

The hon. Member for Northavon (Steve Webb) made a comment about the Scottish Government's record on wind power, although he would not take an intervention on it. The present Scottish Government have granted proportionally more wind farms in their first year than the Government of which the hon. Gentleman's party was a member.

There is much that is good about the document and I am generally supportive of it. I was especially interested in what it says about transmission charges—an old hobby-horse of mine that I am sure the Minister will be pleased to hear about again—as they relate to renewable energy in Scotland. I will not go through all that in great detail again as the Minister has listened to the arguments on many occasions about how renewable generation in Scotland is handicapped by the transmission charge regime introduced by Ofgem.

Article 14 of the document says that renewable sources should be given access to the system and that the rules should be

"objective, transparent and non-discriminatory…taking particular account of all the costs and benefits associated with the connection".

I hope that the Minister will explain how that will fit in with the present Ofgem regime, which is clearly discriminatory against renewable producers—or indeed any producers in a remote area. The document may mean that the UK Government have to look again at the transmission regime to ensure that it is non-discriminatory.

I agree with the Minister that we should not throw the baby out with the bath water when it comes to biofuels, but the document is not clear about the position of imported biofuels. At the moment, much of the biofuel used in the European Union is imported, mainly from the US, which—given that it has not signed up to previous agreements, such as Kyoto—is unlikely to sign up to any agreement on biofuels soon, pending a possible change in the Administration. Massive grants are given to farmers in the American mid-west for the production of biofuels, and their withdrawal could lead to a farming crisis there.

Will the targets for biofuels in the document be purely for the production of biofuels within the EU, or will moves be made against the importation of biofuels from outside that are not deemed to be sustainable? How would that fit in with World Trade Organisation rules, because that is a potential problem?

In an intervention, I raised the issue of renewables obligation certificates. I apologise to the Minister because I said that only tide and wave would be affected, but deep-water offshore wind will also be affected. I have written to the Minister about this before. He is right to say that grants are given to experimental schemes, but the difficulty is that the new system for ROCs will not allow such schemes to be developed and then to receive the double-banded ROCs for the future generation of electricity. Under the Energy Bill, the companies will have to choose between repaying the grant that they have already received or taking the double ROCs. The problem is that the companies need the grant money to get the projects up and running, but to generate the electricity they will also need the new ROC system.

The difficulty is that companies may get the grant money but then be unable to generate electricity. If they take the double-banded ROCs, they will have to pay back the grant money that got them up and running in the first place. That is a serious problem of great concern to developers, especially of the Beatrice scheme in the Moray firth and wave and tidal power schemes in the Pentland firth. The hon. Member for Caithness, Sutherland and Easter Ross (John Thurso) has also contacted the Minister about the latter schemes, and the issue may be debated in the other place when the Energy Bill is debated there.

I urge the Minister to consider these representations. As other hon. Members have pointed out, these targets are very strict and will be difficult to meet. We should

[Mr. Mike Weir]

all recognise that, but unless we get the system right we have no chance of meeting them. The hon. Member for North Ayrshire and Arran (Ms Clark) is right to say that wind power is only one part of the picture. We all recognise that, and we must have a suite of different renewables if we are to have any chance of meeting the targets.

7.38 pm

Colin Challen (Morley and Rothwell) (Lab): The one Post-it note that I want to mention in this contribution, which will necessarily be very short, is attached to the memorandum of explanation from the Department for Environment, Food and Rural Affairs and its reference to the fact that the EU has decided that if there is an international agreement on climate change, the target for reducing carbon emissions will rise from 20 per cent. by 2020 to 30 per cent. by 2020. I hope that that agreement will be signed in Copenhagen next year, which suggests that the targets for renewable energy's contribution to reducing our CO_2 emissions may have to be revised in little more than 18 months' time if they are to make a contribution to the increased target.

If that is the case, I hope that my hon. Friend the Minister will put a Post-it note in his red box to ask his civil servants to start thinking about plan B. They have clearly not paid as serious attention as one might hope to plan A, and we have heard that under the current plans we will struggle to get to a 5 per cent. renewable energy contribution by 2020. Going to 15 per cent. will be even tougher. I do not think that the way to approach that is to say that we will introduce more flexible mechanisms, seek renewable trading certificates and so on. We need to start investing seriously in our economy, as the Germans and Danes have done. There are problems in the delivery of wind turbines because Siemens in Germany and Vestas in Denmark simply cannot keep up with demand. Why do we not have our own wind turbine industry on a massive scale, employing hundreds of thousands of people, as is the case in Germany with the renewables industry?

We can do it if we want to. I disagree with my hon. Friend the Member for Linlithgow and East Falkirk (Michael Connarty), who said that we should not have punitive measures. We need those punitive measures to drive along the aspirations that we have not seriously tried to fulfil in the past.

7.40 pm

Peter Luff (Mid-Worcestershire) (Con): I shall be exceptionally brief, and I thank the Minister for his indulgence. I have three quick points. First, will he clarify whether these will be binding national targets, as the Commission makes it clear that they will be? What will be the sanctions if they are breached, or if we fail to meet them? Can we predict what action the European Court of Justice is likely to take if we fail to meet those targets?

Secondly, may I press the Minister again on renewable heat? Paragraph 20 of the preamble talks about exempting those in households from

"guarantees of origin for heating or cooling".

In my view, the big gains available to the UK in terms of renewable energy come from renewable domestic heat. They cannot be measured for target purposes, which calls the targets into question, but the big gains in climate change and energy security and supply will come from such things as solar thermal power for water heating.

Thirdly, in his explanatory memorandum, on page 355 of the documents, the Minister stated:

> "Achieving the level of ambition implied by the proposed UK target of 15 per cent. will require significant increases in the levels of electricity derived from renewable energy sources by 2020."

When he last came before the Select Committee that I chair, he gave some interesting figures for what he thinks the increases in electricity generation will be. Will he confirm that 35 or 40 per cent. will be required? I repeat the question that I put earlier to my hon. Friend the Member for Wealden (Charles Hendry): is this target achievable? Are we signing up to something that we know, in our heart of hearts, we cannot reach?

7.42 pm

Malcolm Wicks: Yes, it is an achievable target. As my hon. Friend the Member for North Ayrshire and Arran (Ms Clark) said, we are setting ourselves interim targets for climate change and carbon reductions through the Climate Change Bill. I thought that that was a very neat answer to the Liberal Democrat spokesman, the hon. Member for Northavon (Steve Webb), who rather implied that we were not setting ourselves interim targets. After all, the overall focus has to be on carbon reduction, and renewables are an important means to that end.

May I clarify a point, as I may have misled the House—

Sir Robert Smith: Will the Minister give way?

Malcolm Wicks: No. I may have misled the House when I started talking about combined heat and power. Let me confirm that the target is for renewable energy, including heat, electricity and transport. I did not mean to be rude to the hon. Member for West Aberdeenshire and Kincardine (Sir Robert Smith), but I am conscious that I have only about five minutes left. I ask him to forgive me.

There are too many pessimists in the House on these matters. Let me give hon. Members some figures to show where we are with onshore and offshore wind provision. We now have about 2.5 GW of wind power in operation, 1.3 GW being built, 5.3 GW consented and 9.69 GW in planning. Those are quite formidable figures and I do not think it helps anyone to talk down this emerging British industry. The hon. Member for Wealden (Charles Hendry) quoted a figure of 70 GW of wind power. We will consult on that and look at estimates, but the advice that I have received is that that figure is likely to be a significant overestimate.

We have discussed European comparisons, as we do on these occasions. Some hon. Members should look carefully at this. Renewable energy accounted for 8.4 per cent. of all EU energy in 2005, which was an increase of just 1.5 per cent. of the share 10 years earlier. That suggests that we are not in a situation where some countries are moving ahead at a rapid speed during the 10-year period that the hon. Member for Northavon focused on. The increase was just 1.5 per cent. That suggests to me that the challenge is for all member states. When we look across the piece at the huge concentrations of renewable energy, we find that they are often in places where there are hydro resources. Hon. Members need just to look at the figures and they will see that that is true. Others include biomass resources, including the use of wood stoves. There is a challenge for the whole industry.

I was asked about costs. The renewable energy strategy will say more, but our initial research suggests that the cost to the UK of meeting a 15 per cent. target could be about £5 billion a year by 2020. We have to be mindful of the costs at a time when energy costs are high. They will fluctuate, but the days of low-cost energy are over. We therefore need to be mindful of a cost-effective way of meeting our targets.

I quite understand the points that have been raised about the transmission access review. It is important to developers to get a suitable connection when they are ready. I do not think that they are so interested in getting a preference. Indeed, in terms of balancing the grid as we go forward with more renewables, we simply could not give all preference to renewables. We need to look at the issues about balance very carefully.

I was asked whether article 15 would not permit us to have stricter sustainability standards than prescribed in the directive. We will press for the directive to include sustainability standards that cover the same range of issues as our renewable transport fuel obligation. Subject to the directive's being amended to include an acceptable set of sustainability criteria, we support the proposal that there should be the same criteria throughout the EU, as that will help to promote an efficient internal market for biofuels.

May I clarify that we have never said that CCS is a renewable? Of course it is not. However, at an early stage we tried to argue to the Commission that if the European Union is serious about 12 CCS projects across Europe, we need to have some ideas about where they will come from. We in the UK are moving forward with a major demonstration project, but we are worried about the incentives to bring other CCS projects forward and we will continue to press that point.

We think that trading schemes will play a part, but we and other member states agree that that should not be at the expense of national support systems for renewables. We need to have regard, as I have emphasised, to cost-effectiveness, and trading could play a part in all this.

We have had a useful and quite detailed debate in the time available. I will not have been able to pick up on all the points that have been raised. I am prepared to write to hon. Members—

Charles Hendry *rose—*

Malcolm Wicks: I think that the clock is against us, but the hon. Gentleman can try a quick one.

Charles Hendry: What is the Minister's view on whether there should be qualified majority voting or unanimity?

Malcolm Wicks: We think that this will probably be settled by qualified majority voting. I think that that is the reality of what is likely to happen. This is a challenge for the whole of Europe, however, and we must work with Europe on it. I want to emphasise that the UK Government are committed to our share of 15 per cent. or thereabouts, and we will do our utmost to hit that target. I am confident that we will.

Question put and agreed to.

Resolved,

That this House takes note of European Union document No. 5421/08 and Addenda 1-2, draft Directive on the promotion of the use of energy from renewable resources; notes the Government's support for the European Commission's proposal for increasing the renewable energy share of final EU energy consumption to 20 per cent. by 2020 as part of a balanced energy mix; further notes the importance of the Commission's parallel proposals in the EU package for strengthening of the EU Emissions Trading Scheme, so as to provide the basis for a global carbon market and enable emission reductions to be made in the most cost-effective way; recognises the significant contribution that attainment of the renewable targets can make to the European Union's efforts to tackle climate change, enhance geo-political security of supply and provide the EU with the opportunity to capitalise on significant business and innovation benefits; further recognises the ambitious nature of the proposed legally binding targets; and urges that the Directive should be revised to provide Member States with sufficient flexibility as to ensure that the overall EU and Member State renewables targets can be achieved in a cost-effective way.

Maritime Policy

7.48 pm

The Parliamentary Under-Secretary of State for Transport (Jim Fitzpatrick): I beg to move,

> That this House takes note of European Union documents No. 14631/07 and Addenda 1-5, Commission Communication, An Integrated Maritime Policy for the European Union and No. 14176/07, Commission Staff Working Document on Maritime Clusters; and endorses the Government's approach to these documents.

Good evening, Madam Deputy Speaker. I begin by welcoming the interest of the House in the European Commission integrated maritime policy and the opportunity to set out the Government's view on that Commission initiative. The subject of today's debate is indeed broad. It follows directly on from an earlier debate in the temporary European Standing Committee last March on the Government's position in respect of the Commission's maritime Green Paper, "Towards a future Maritime Policy for the Union: A European Vision for the Oceans and Seas", which was the focus of a large-scale consultation exercise by the European Commission on its vision for the future development of a maritime policy for the European Union. That debate cleared the way for the Government's formal response to the Commission's consultation, and that response is included in the document pack with which hon. Members have been provided for the debate.

The Commission papers that we are discussing today derive directly from the Green Paper consultation. The Commission considered nearly 500 consultation responses from Governments, social partners and other interested parties. Before I turn my attention to the content of the new policy package, I should like to draw the attention of hon. Members to two things that are not contained therein. The maritime Green Paper proposed for consideration the idea of a European shipping register, which could have supplanted national registers, and a European-wide coastguard. In their response to the Green Paper, the Government strongly opposed those suggestions, as did other respondents. I am pleased to report to the House that those ideas do not appear in the new integrated maritime policy package.

Mr. Andrew Turner (Isle of Wight) (Con): The Minister knows of my concern about planned changes to the tonnage tax regime. I would welcome clarity on whether the change in the interpretation of seagoing vessels is being insisted on by the EU, the Department for Transport, the Treasury or at the behest of the Revenue and Customs. The proposals could impose higher costs on UK shipping generally and cross-Solent ferry services in particular.

Jim Fitzpatrick: The tonnage tax is an important issue for the shipping industry. It certainly does not feature, if I recollect correctly, anywhere in the notes that I am about to deliver on behalf of the Department, but I can advise the hon. Gentleman that the threat of a change in tonnage tax regulations that we feared would adversely impact on the success that we have derived from the arrangements in recent years has receded, that the Commission is revisiting its proposals and that the tonnage tax will therefore continue to be to our advantage. In that instance, we are not worried by what is happening in Europe as a result. I can write to the hon. Gentleman to give him much more detail in due course, but the tax is not part of the package that I am referring to this evening.

The EU maritime Green Paper sought to take forward the Lisbon strategy on sustainable growth by stimulating employment in the maritime sector and by applying ecosystem-based management of marine resources and the marine environment. It addressed important policy areas, including the retention of Europe's leadership on sustainable maritime development, the maximisation of the quality of life in coastal regions, governance issues in the EU and the wider international arena, the reclamation of Europe's maritime heritage and the reaffirmation of its maritime identity.

Those themes are broadly continued in the new maritime policy package, taking into account the consultation responses received by the Commission. The paper, "An integrated maritime policy for the European Union", together with its supporting documents, which include an action plan, sets out a vision for a joined-up approach to maritime policy, taking as its premise a perception that all matters that relate to marine areas that surround Europe are, in essence, linked to one another. Therefore, it proposes the idea that all marine-related policies must develop within a governance framework that embraces a shared cognisance of those connections to ensure that the best results are achieved and that positive developments in one area do not inadvertently blight progress or prospects elsewhere. I emphasise that no firm legislative proposals stem from the package at this stage.

The Government note that the European Council conclusions of 14 December 2007 gave a broad welcome to the Commission's initiative and invited the Commission to progress the initiatives and proposals contained in the action plan, which forms part of the package. We await the appropriate developments.

Turning now to the documents under scrutiny this evening, the lead document in the package sets out the concept of an integrated maritime policy. It provides an analytical framework and a set of objectives that lay the foundations for the accompanying action plan in addendum 2. The other supporting papers contain a discussion of the Green Paper consultation responses, an impact assessment and a summary thereof, and a European Commission staff working document that looks at the connections and synergies between the energy policy for Europe agreed at the European Council in March 2007 and maritime policy.

The lead communication declares that the new package aims to enhance Europe's capacity to face challenges of globalisation and competitiveness, the effects of climate change, environmental damage, maritime safety and security, energy needs and sustainability. Allied to that goal is a desire to enhance employment and economic growth, underpinned by high standards of research, technology and innovation. The keynote is that the way in which maritime policy is made would be changed. Rather than policy being developed through compartmentalised dossiers, it would develop as an integrated form that recognised the relationships and interactions between different activities in the maritime sphere.

Mr. Julian Brazier (Canterbury) (Con): Although the Minister is making a cogent case for considering these matters in the round—indeed, any Government should do so—it appears that the Government's response accepts to some extent that some matters should be dealt with in international forums by the International Maritime Organisation, rather than being specific EU competences.

Jim Fitzpatrick: Certainly, as the Government, we are always conscious that, as the hon. Gentleman rightly points out, the IMO is the international regulatory body. It is an arm of the United Nations. We believe that it has competence in certain areas where the EU does not. Therefore, we must be aware of the role that it plays, as well as that which the Commission plays.

Mr. Alistair Carmichael (Orkney and Shetland) (LD): I was mildly concerned at first that the jargon in the Minister's speech was his own, but I now see that he is quoting more or less verbatim from various passages to be found in the documents. I endorse the view expressed by the hon. Member for Canterbury (Mr. Brazier) about the IMO and the importance of our role in that respect. Can the Minister assure the House that, in fact, there will be no question of the House or this country giving up its role as a direct inputter to the IMO in favour of an EU voice?

Jim Fitzpatrick: I can certainly assure the House, as I assured the Greek Transport Minister in Athens yesterday morning, that we would not surrender our national voice at the IMO in favour of a European voice, that we believe that all the very strong maritime nations of the EU have articulated most strongly that they wanted to maintain their separate identity and voice at the IMO and that the EU should not take our place.

Mr. Mike Weir (Angus) (SNP): Taking things further back, some progress, albeit small in recent years, has been made, particularly with fishing communities, in taking some devolution making closer to the communities through management plans and the Scottish fishermen's voluntary scheme on environmental matters. Can the Minister assure us that such movement will not be jeopardised by the new pan-European scheme that is before the House today and that the interests of the fishing and other maritime communities around these islands will be closely considered?

Jim Fitzpatrick: If I do not come to the assurance that the hon. Gentleman seeks during my introductory remarks, I am pretty sure that I can reassure him in my concluding remarks. I have already been pulled in the direction of our world role in maritime affairs, but we are not at risk of neglecting localism and the ability of local communities to play an important role in formulating policy. I am sure that my remarks will cover the hon. Gentleman's point, but if they do not, I shall be happy to return to the issue in my concluding remarks.

Bob Spink (Castle Point) (UKIP): I am grateful to the Minister for giving way; he is being most gracious. How will the marine policy that we are discussing impact on Norway's management of the waters within its 200-mile limit, and will there be any discussions between Norway and the EU—or have those discussions already commenced?

Jim Fitzpatrick: I will have to come back to the hon. Gentleman on the detail of his question. On maintaining our direct relationship with Norway, obviously we will have to take its views into account when formulating European policy, as we always do.

Sir Robert Smith (West Aberdeenshire and Kincardine) (LD): I have been in correspondence with the Minister on the benefits that ship-routing services can have in reducing the air pollution from shipping. I see that the Government are committed to the idea that it is the IMO that should make the regulations, as the Minister said in his letter to me. My constituent, Aerospace and Marine International, which is based in Banchory, provides a ship-routing service. Will he assist that company by meeting the IMO to discuss taking forward an improvement to the regulation of shipping, in order to reduce CO_2 emissions through the use of that service?

Jim Fitzpatrick: The IMO is actively looking into those issues at the moment. I think that I am right in saying that the next major conference in which the issues will be discussed is in September or October this year. Certainly the IMO is conscious that it is the body that ought to regulate the shipping sector because it is best able to represent international opinion and put together international agreement. It is actively considering the challenge to climate change from salts, knots and CO_2. As for the assurance for his constituent, if he will allow me, I will come back to him on that, because that is a very specific issue.

I am glad that the hon. Member for Orkney and Shetland (Mr. Carmichael) said that I was quoting from the documents; I would not want to mislead the House, so we are relying extensively on what has been prepared. As I said earlier, we do not have any firm proposals. We have guidance to take us towards where the European Commission wants to get to. There is still a great degree of vagueness about the conclusions.

Ms Katy Clark (North Ayrshire and Arran) (Lab): I welcome the review of European Community labour law exemptions for the shipping and fishing sectors. Will my hon. Friend outline the Government's likely approach in those negotiations?

Jim Fitzpatrick: I think that I will be able to come back to that point later and will be able to give my hon. Friend some of the reassurance that she seeks. The hon. Member for Castle Point (Bob Spink) asked about the relationship between Norway and the EU. It has just occurred to me that Norway has been involved in the formulation of the EU maritime policy. As he knows, Norway is naturally a key ally for the UK, and obviously we would want to include it and its position in our considerations. I suggested to the hon. Member for West Aberdeenshire and Kincardine (Sir Robert Smith) that the next meeting of the IMO was in the autumn; the next inter-sessional meeting will take place later this month. It is the IMO's marine environment protection committee that meets in the autumn.

Bob Spink: Will the Minister give way?

Jim Fitzpatrick: If the hon. Gentleman will allow me, I will make a little more progress; I am halfway through my remarks, and am naturally conscious that the debate lasts only 90 minutes and a number of colleagues clearly want to contribute.

It is envisaged that common tools will be needed, synergetic approaches adopted, and conflicts of interest avoided or resolved. The action plan sets out ways in which the Commission's overarching vision might be realised through an integrated approach to governance. That includes the use of cross-cutting tools to help policy makers and economic and environmental stakeholders to join up their activities and optimise the use of marine and coastal space in a sustainable manner. Those tools, as set out in the documents under discussion, comprise a more integrated network of surveillance systems for European waters, the development of marine spatial planning, and an EU observation and data network to bring coherence to the existing fragmented maritime data collection initiatives.

The action plan enumerates details of various broad areas of activity, grouped thematically. They include maximising the sustainable use of the seas, the development of a knowledge and innovation base, delivering a better quality of life in Europe's coastal regions, promoting Europe's leadership in international maritime affairs, and raising the visibility of maritime Europe. In connection with the latter objective, I hope that hon. Members were aware that last month—on 20 May, to be precise—the European Union celebrated the inaugural European maritime day—the first tangible output of the new integrated maritime policy.

Particularly significant aspects of the action plan address a European network of maritime surveillance; a road map for member states to assist in the development of maritime spatial planning; the development of maritime clusters, which is the subject of a separate document included for consideration in this debate; the creation of a European maritime transport space without barriers; the review of EU labour law exemptions for the shipping and fishing sectors—perhaps that deals with the point that my hon. Friend the Member for North Ayrshire and Arran (Ms Clark) raised—ways to cut pollution from shipping, including greenhouse gases; action on marine-based energy infrastructures and resources to facilitate high-level investment; an ecosystem-based approach to fishing; a new maritime research strategy; a strategy to ameliorate the effects of climate change in coastal areas; and the development of integrated maritime policies at national level. It is a lengthy and ambitious programme.

The Government have welcomed the significant effort expended by the Commission in producing that wide-ranging package. In broad terms, the desire for a joined-up approach across marine policy areas is a welcome development. Our seas and coasts have multiple uses. They are used for the movement of people and goods, fishing, the utilisation of energy resources, and leisure activities. It makes sense that measures governing any one activity should not be progressed without an accompanying examination of the impact on all other activities that might be affected. Indeed, that is precisely the approach that the Government have taken in developing our domestic legislation, namely the Marine Bill.

In considering the new policy package, the Government maintain the approach brought to bear in the consideration of the package's precursor, the EU maritime Green Paper. The new approach must entail the need to respect the principle of subsidiarity, and the need to ensure that new measures add value to existing national, Community and wider international arrangements. Of course, each new proposal needs to be accompanied by a sound business case.

Mr. Carmichael: Is the Minister able to explain to the House, or will he publish later, what exactly the Government's targets are for measuring the added value that we will get from the proposals, and what the performance indicators will be?

Jim Fitzpatrick: I should be happy to come back to that in my closing remarks. Our difficulty, very straightforwardly, is that without the detail of the proposals, we are not able to say, "We like this, but we don't like that. We want to go this way, and we want to push further in that direction." To a certain extent, tonight's debate will obviously be dissatisfying and inconclusive, because we do not have the detailed proposals that we might want to debate and discuss, so that we can decide on what is best for the UK.

Mr. Weir: In the previous debate, we heard that the document under discussion was being pushed through so that it would be agreed to before the 2009 elections to the European Parliament. Is the same being done with the document that we are considering, and if not, can the Minister give us a time scale for when its provisions are likely to come into effect?

Jim Fitzpatrick: The hon. Gentleman has the advantage on me, as he sat through and participated in the last debate, and I was not present, sadly, to hear my ministerial colleague explain the timetable. We do not have such a timetable, and because the detail has not been worked out, it is not clear what the time scale will be. I will try and get some additional information for the hon. Gentleman to give him some indication how long the process is likely to take.

We have an opportunity to add value by exemplifying an approach that injects the consideration of sustainability issues at the outset of deliberations, combining thinking on energy policy and climate change, and incorporating thorough impact assessments. Consideration of climate change and renewable energy issues would be an integral part of Community and member state development and investment policies. Moreover, the new package represents an opportunity to underpin maritime policy making with ecosystem-based management, which is important for the sustainable use of marine resources. I should welcome the views of the House.

8.10 pm

Mr. Julian Brazier (Canterbury) (Con): I am pleased to have the opportunity to debate maritime matters on the Floor of the House, and particularly to debate the EU's approach to such matters. The House should be grateful to the European Scrutiny Committee for recommending that we have this opportunity.

The subject is under-debated. The maritime sector, if one includes ancillary industries and services ranging from Rolls-Royce's world-beating engines to maritime insurance and law, is the UK's third largest industry. It supports almost 250,000 jobs and contributes an estimated £11 billion a year to our economy, yet its national footprint is minuscule. Even though 95 per cent., by weight, of all goods brought into the country come by sea, the sector is almost ignored by the media and wider public, except when there is a disaster at sea, such as the beaching of the Napoli, or when a tanker unleashes a slick of oil, which, mercifully, is extremely rare now.

So I am pleased to speak in the debate, and pleased that it falls so close to the newly introduced European maritime day, one of the items that comes up in the bundle of documents that we are discussing. It is one small item that we, the official Opposition, welcome, although I am a little concerned that it does not seem to have developed much beyond Maritime Ministers meeting in Athens to toast each other with much champagne. I would be interested to hear the Minister's proposals for extending the reach of the maritime day to the public at large and what measures he will be taking with the industry to boost its public profile. I must say, in fairness to him, that I know he is personally committed to that.

In the three years or so that I have been covering maritime affairs for the Opposition, the European Union's Commissioner for Maritime Affairs seems to have had something of a change of heart. It certainly needed to change. That directorate used to be one of the worst examples of Euro-fanaticism in the whole Commission. Let us hope that the change of heart is permanent.

One of the issues that has been of the greatest concern and that has reared its head several times is the threat of an EU register and the development of an EU flag for our merchant vessels. I was delighted to hear once again that the Government have pledged their opposition to those plans, and I join them in welcoming the fact that the Commission has dropped the plans in the current document, but vigilance is still important. I see the Minister nodding. Such a proposal, particularly the creation of an EU register, would essentially create a new flag state, demanding a common seat on international bodies such as the International Maritime Organisation and a common coastguard.

As the Minister said, the proposal for the creation of a common coastguard has been dropped. That is a relief, not least because of the nature of many of the coastguards in the European Union with which our own Maritime and Coastguard Agency would have been merged. I shall single out the Greek coastguard, as I dealt recently with a particularly horrid constituency case. After the trial of the coastguards concerned, it became clear that there had been a number of cases of sexual abuse of migrants, and even allegations of throwing illegal immigrants into the sea. Britain has a long and honourable tradition in its coastguard. Not only are there extreme examples such as the Greek one, but a merger would be ridiculous when the circumstances are so different around the European Union. Indeed, some countries have no coastline at all.

The debate provides an opportunity to chide the Government for a moment for allowing the operating conditions of the coastguard to deteriorate to the point where we have had three one-day strikes by the paid employees and one strike by the coastguard volunteers, the very first examples of industrial action by our coastguard—Her Majesty's Coastguard, as it used to be called—in its centuries-old history. Given that those men and women are responsible for rescues involving up to 50,000 people a year, it seems extraordinary that the staff are so poorly paid and start on salaries of around £12,000 per annum.

Mr. Angus MacNeil (Na h-Eileanan an Iar) (SNP): I have been listening to the hon. Gentleman, and I am grateful to him for giving way. The Public and Commercial Services Union has said that it would cost about £3 million to sort out the dispute. If his party were to become the Government, would it look to meet the coastguard's demands and end the dispute, which could be done at the stroke of a pen?

Mr. Brazier: The hon. Gentleman intervenes at an opportune moment. I was about to say that I was delighted to be able to announce in the recent debate in Westminster Hall that, after discussion with my colleagues in the shadow Treasury team, although we obviously cannot underwrite a blank cheque, we are committed to a specific review confined to the MCA to look at its salaries in the context specifically of the other emergency services.

Michael Connarty (Linlithgow and East Falkirk) (Lab): On a point of order, Mr. Deputy Speaker. As the Chairman of the Committee that sent the documents to the House to be debated, I cannot see the relevance of this discussion to the documents before us, and it takes away time from the matters that we should be discussing.

Mr. Deputy Speaker (Sir Michael Lord): The hon. Gentleman can safely leave such matters to the Chair.

Mr. Brazier: I had in fact completed my point on that.

Mr. MacNeil: Will the hon. Gentleman give way?

Mr. Brazier: Briefly, once more.

Mr. MacNeil: I am not by any means asking for a blank cheque. I am merely asking for £3 million. The one thing that the coastguard unions told us was that they had been reviewed to death by the Government. If the hon. Gentleman's party became the next Government, can he promise not a blank cheque, but a £3 million cheque and no more reviews?

Mr. Brazier: The short answer is that I cannot promise a specific sum, but our review would be different in that it would be specifically in the context of the other emergency services, a linkage that, to date, has not been acknowledged.

Nevertheless, I share the Government's strong opposition to the EU's original plans for merging the coastguard and, like the Government, I recognise that we need closer co-operation between the different coastguard services. I enjoyed my recent visit to the MCA at its headquarters in Dover, and I thank the Minister for facilitating that. I was struck by the points that the coastguard made to me about the importance

[Mr. Brazier]

of developing a better relationship with its French counterparts, which is a relatively recent suggestion.

One plan that does not seem to have disappeared from the documents is the Commission's ambition, albeit more tentatively stated, to take up a role within the various international organisations relating to the sea, not least the IMO. The Government have not been quite as hostile to that proposal as they have to some others. Their document declares that

> "an attempt to seek a wider Community role"

in the IMO

> "is likely to be counterproductive".

That is welcome, but there seems to be more ambiguity over other multilateral organisations. I would be grateful if the Minister clarified whether he thinks that there is any international organisation with a role in shipping in which there should be a greater EU presence at the expense of member states. The plain fact is that different member states have different interests. Some do not even have a coastline, and none has the kind of maritime hub that we enjoy in London. It is essential that British interests continue to be represented in international bodies instead of having a joint EU presence.

While discussing the EU's relationship with the IMO, I should like to support the Government's statement on inadequate standards of ships with certain flags. We are all concerned about the quality of control with certain registers but, like the Government, the Opposition believe:

> "The correct fora to address this matter are the IMO and the Port State Control MOUs"—

not, by implication, the EU. This is valid across a wide range of issues where the EU has decided to go off on a proposal by itself without consulting the rest of the world. I am thinking, for example, of the North sea and the Baltic SOx—sulphur oxide—emission control area. Because this is an EU rule rather than an IMO one, Intertanko, which represents more than 75 per cent. of the world's independent tanker fleet, has reported that large numbers of ships not flagged to an EU state have simply decided to ignore the ruling and refused to bunker low-sulphur fuel, preferring—on balance of probabilities, it is a commercially sound decision, however antisocial—the risk of getting caught. That is a classic example of a good intention implemented by a body out of touch with the market leading to unintended consequences. By acting unilaterally, the EU has merely put an extra burden on to its own vessels at a time when there are already other pressures for people to leave European flags and register under other flags. The right way to make progress on these matters is to negotiate them through the long, hard route of the IMO, which can deliver on this.

While discussing the difficulties in persuading companies to flag to the UK, there are two matters obliquely touched on in the documents that the Government ought to be taking more seriously with the Commission. The first is the threat to the UK fleet of proposals to force UK-registered vessels to pay equal salaries to all its EU-national sailors, regardless of the salary the sailor could expect in his or her home state. This will not result in a fairer deal for poorer EU nationals, as the Commission hopes, nor will it result in more UK seafarers being hired, as the unions might hope—all that it will do is put further pressure on companies to flag out instead of paying higher wages. In that way, they will not even have to pay for the training of UK cadets, as the tonnage tax, rightly in our view, demands.

That brings me to the tonnage tax, which my hon. Friend the Member for Isle of Wight (Mr. Turner) has already mentioned. I was partly comforted by the Minister's answer. None the less, it is well known that the European Commission is casting its eyes over the UK tonnage tax, coming on top of the Government's own restrictions. As I have acknowledged publicly several times, the tonnage tax is an achievement by this Government that we welcome and believe in. However, the changes that were made to lease arrangements were not seen as helpful at a time when owners can see that other countries have introduced their own equivalents to the tonnage tax. More recently, the proposed amendments to the Finance Bill, which have fortunately now been dropped, sent out a worrying signal to the market that the tonnage tax regime may not be stable. Members will have seen stories in the media that Evergreen is considering re-flagging to Singapore, with the future of the tonnage tax at the top of its list of concerns. I was glad to hear the Minister's answer on this, but if he can strengthen it a little in his final response, that will be welcomed by the industry. We need to make it clear that this is not an area where the European Commission should be interfering.

There is much in the documents about maritime clusters and how the EU should support them. As we all know, the world's leading maritime cluster is right here in London, and it is, to some extent, threatened by the EU. The Minister must impress upon his colleagues in the Treasury and in the Commission that this, particularly where the tonnage tax is concerned, could be the unwrapping of what has been a considerable success.

The last of the Commission plans that has wisely been dropped is the directive on access for ports. The line-up against that directive has been very interesting. The European Transport Workers Federation has stood side by side with the port of London, Dutch socialists and Conservative MEPs. I was delighted to see that the proposal had gone. One thing that came up again and again in the debates on that issue was the flexible approach that our continental cousins take when it comes to interpreting European regulations—not a situation unique to shipping. I endorse the Minister's comments about the suggestion that an added duty for the Commission to ensure that all EU ports operate in the same environmental framework and use similar regimes of interpretation and enforcement is important.

There are things in the document to support and a few remaining things that need fairly vigorous opposition. On this occasion, the Government seem, on the whole, to support that which needs supporting and to oppose that which needs opposition. There are areas where we feel that their opposition should be more vigorous but, on balance, it would be churlish to oppose the Government's motion.

8.25 pm

Mrs. Louise Ellman (Liverpool, Riverside) (Lab/Co-op): I welcome this important debate, and I would like to thank the European Scrutiny Committee for its work in enabling the debate to go ahead in such a well-informed way.

The maritime sector is vital to the economy of the United Kingdom, with 95 per cent. by volume and 75 per cent. by value of the UK's international trade transported by sea. In 2004, £330 billion of the UK's international trade moved through our seaports. Short-sea traffic trade with Europe and the Mediterranean accounted for 39 per cent. of all container traffic in 2004. The industry is important to our economy, and that importance justifies paying attention to the holistic approach to maritime policy we are asked to consider in the development of European integrated maritime policy. In terms of the UK, the issue is national, regional and European. Other perspectives involved in maritime policy include issues such as economic development and regeneration, the environment and security.

The proposals in the documents deal with integration and the setting up of a European maritime policy. In the Government's comments on what are ongoing discussions rather than firm proposals, it is right that they have drawn attention to the importance of subsidiarity and of having added benefit when considering any widening of competences. I am pleased to see that, in the action plan, developing a European policy is not simply an issue of competence but one of considering decision-making on policy, setting up networks, sharing information and enabling expertise in one area to be used for the benefit of all. That is an important part of developing a European policy.

I welcome the parts of the documents that refer to clusters. Clusters of maritime excellence are important and I have seen their benefit in the work done by Mersey Maritime, which has brought together different sectors in the industry. It has enabled tens of thousands of new jobs to be developed in the sector. It has supported training in the nautical sector and developed courses with local colleges, encouraging young people to become involved in nautical matters. Developing a cluster of maritime industries matters and it is important that that process is led effectively. I would like to see more work done, however, on its implications for Europe as a whole.

I would like to point out three areas where there are significant concerns, and where, looking at the documents, it does not appear that the Government have given sufficient consideration to the policy as a whole. The first concern is about the competitiveness of United Kingdom ports in comparison with the rest of Europe, and in particular whether the privately owned United Kingdom ports compete on a level playing field with the subsidised, nationally owned European ports. Evidence given recently to the Select Committee on Transport showed that the capital costs for a terminal operator of opening a facility in the United Kingdom were three times as much as opening one in other parts of Europe. The question must be asked: why?

The Government's ports consultation document states that United Kingdom applications for funding from the European regional development fund, the trans-European transport networks or the Marco Polo initiative for short-sea shipping must satisfy the Government as to their compatibility with fair competition between ports. We would not quarrel with that objective, but the question must be asked: is that criterion applied equally stringently in ports throughout Europe or does it concentrate simply on what is happening in the United Kingdom?

My second concern is about the security of ports. The proposals in the documents for increased surveillance of ports are welcome. If that were done properly, it would be effective. However, there is also a proposal in the documentation for a European maritime transport space without barriers. More questions need to be asked about what that exactly means. The proposal talks about simplifying administrative and customs barriers, but what does that mean for growing security needs in cargo and loading in ports?

Legislation enacted in the United States means that from 2010, ships sailing to the USA from foreign ports must be investigated and receive security clearance at their ports of origin. How will that relate to the European maritime transport space without barriers? I understand that some concern has been expressed in Europe about the American proposal, but it is not quite clear what that means. What does the proposal mean for the security of shipping entering our ports? That is an increasingly important question.

My third concern is about freight policy. Attention has already been drawn to the importance of the United Kingdom's developing a more effective national freight policy. Infrastructure is particularly significant to the development of ports policy in the United Kingdom, and that means having better co-ordinated and integrated freight policy. However, there is a question mark over what is happening with freight from European operators. I understand that there is a proposal to allow European hauliers to operate wholly within the United Kingdom. What does that mean for maritime freight and United Kingdom hauliers? We do not have the answers to those questions, but there is growing public concern about the impact of freight operators from other parts of Europe on the United Kingdom's already hard-pressed haulage business.

I should like the Government to go beyond the comments that they have already made and consider the specific issues that I have raised, so that as the debate continues and a much-needed European policy develops, we can ensure that the United Kingdom's interests are protected, although in the context of the also important European dimension.

8.34 pm

Mr. Roger Williams (Brecon and Radnorshire) (LD): I congratulate the Minister on his fine précis of the documents before us. Without much effort at all, he could have taken up the entire debate.

Although it is a privilege to debate such an important subject on the Floor of the House, if this debate were taking place in Committee, we would have an extra hour in which to probe the Government and ask the Minister some more definitive questions. The documents are full of high hopes and fine words, but have little substance. The test will be whether the policy

[Mr. Roger Williams]

can be turned into practical deeds and plans that will deliver for this country and for Europe. My hon. Friend the Member for Orkney and Shetland (Mr. Carmichael) asked an incisive question about how much value added will result from the policy and what performance indicators will be used to test whether it has succeeded. I wonder whether the Minister will return to that question when he sums up. I think that he used the terms "integrated", "cross-cutting" and "synergetic" several times, all of which are hallmarks of a good European paper, but the Government must be clearer about how the policy will be delivered and what benefits will flow from it.

The marine environment and maritime areas are not only important to Europe; they are very important to Britain. Europe has 70,000 km of coastline along two oceans and four seas, and the geographical nature of Britain means that it will have a greater proportion of coast than Europe. As the hon. Member for Canterbury (Mr. Brazier) said, some European countries have no coastline and will not have such a great interest in this issue.

Sir Robert Smith: My hon. Friend makes the important point that several European nations will not have a direct interest. When it comes to the fishing aspect of marine policy, is it not important to have regional management so that only countries with a coastal interest in a particular fishery are involved in its management?

Mr. Williams: My hon. Friend makes an important point, which our party has emphasised in trying to bring some reform to the single fisheries policy and make it more localised.

Mr. MacNeil: Surely, the reform of the common fisheries policy that is required is its outright abolition.

Mr. Williams: That might be the policy of the hon. Gentleman's party, but the Liberal Democrats realise that it would be very difficult to have a fisheries policy that did not take into account the fact that fish move from one part of a sea to another and that we must therefore have some control over the fisheries of other nations as well as our own.

Bob Spink: The documents mention the objective of

"maximising the sustainable use of the…seas".

The hon. Gentleman talks about warm words from Europe, but are not those yet more warm words from Europe? How does that objective sit with a common fisheries policy that sees us throwing back more fish dead than are landed legally across the whole of Europe every year?

Mr. Williams: I take on board the hon. Gentleman's point, but I do not think that there is a nation in the European Union that does not believe that there could be some improvement to the fisheries policy.

Mr. MacNeil: The hon. Gentleman says that fish swim in the ocean between certain nations, but is not the reality that fish swim from European Union waters to Norwegian waters? Tiny Norway is the most powerful fishing nation in the whole of Europe, but it is outside the common fisheries policy. It has more say and greater control over fishing than any country in the EU.

Mr. Williams: I thought that Norway might come up at some stage. I am sure that intelligent fish will also recognise the hon. Gentleman's point. It might be that the European Union has negotiations with Norway about fisheries, and perhaps that can be built on.

It is not only fisheries that contribute to the economic importance of the coast and the maritime environment; trade is also important, as the hon. Member for Liverpool, Riverside (Mrs. Ellman) pointed out. Populations also tend to cluster or accumulate in greater densities around coastal areas because of the economic activity that goes on there, and because better climates are often associated with those areas. There is therefore greater population and greater economic activity in those areas, and they are important to the economy of the nations concerned. The tourism industry is important to Britain, and various aspects of this policy reflect that importance. I hope that more people in this country will change their holiday habits and support our coastal towns a little more, and perhaps spend less of their money abroad. Holidays in this country are certainly worth while.

A real problem in the marine environment is that, for too long, it has been regarded as a place in which to dispose of the detritus and waste produced by human activities. It is only in relatively recent years that we have understood that, however great the seas are and however accommodating their chemistry might be, we cannot keep on putting waste into the sea. That applies in physical terms, in regard to plastics, for example, and in regard to chemical and industrial effluent.

Mr. Brazier: The hon. Gentleman started by saying that it was important for the EU to bring all these different strands together. He also talked about warm words. Surely, however, he is giving us a really good example of why the EU is the wrong body to bring these strands together. Chemicals move around the sea just as much as fish do, and the right way to tackle this issue is through the United Nations and the International Maritime Organisation.

Mr. Williams: I would not disagree. The point has been made that it is important for Britain to maintain its membership of the IMO, and to involve itself in the discussions on the pollution in all our oceans. It is interesting that this debate is taking place on the same day as the first consideration of the draft Marine Bill by the Joint Committee of the House of Commons and the House of Lords. One of the points that was made when we considered it this morning was that the marine management organisation, which is the focal point of the Bill, should be the champion of the oceans. We asked whether the MMO would have enough capacity, manning and resources to be such a champion and to represent Britain on these matters.

The documents state that there could be three ways of achieving the policy objectives. One would be to abandon any EU maritime policy altogether and to achieve the objectives through sectoral approaches instead, sector by sector. Decisions made in that way might be easier, but not necessarily consistent or co-ordinated, and I believe that it was right to reject that option. Another approach that was rejected was the structural or centralised approach, which would have brought together all aspects of maritime affairs in one organisation, integrating all legislation and budgets for maritime policy. That would have involved substantial internal reorganisation, with potential political and cost risks. All maritime policies are part of a wider policy area, and the integration of those policies could fragment other policies. There is, however, agreement to go ahead with a procedural approach that will involve co-ordinating existing methods.

Briefly, on some of the subjects mentioned in the documents, we welcome the emphasis on an eco-system-based approach to fishing and fisheries. We welcome the emphasis on subsidiarity and on decisions being taken as locally as possible, and believe that EU guidance is useful, but we would not be in favour of any over-centralising, top-down approach to policy. Coastal communities vary greatly within countries, particularly across the EU, so a top-down approach would be unlikely to work. However, we welcome the recognition of coastal and maritime importance, as well as the establishment of marine protected areas and the introduction of the draft Marine Bill, which will give powers to do that in England and in the devolved nations.

Martin Horwood (Cheltenham) (LD): Does my hon. Friend share my regret that during consideration of the Energy Bill, the Government resisted our attempts to give the MMO authority over some of the offshore installations provided for in that Bill, therefore cutting back the powers of that organisation before it has even been established?

Mr. Williams: I welcome the idea that my hon. Friend is putting forward, which will perhaps be reconsidered in debates on the Marine Bill. Certainly, comments that have already been made are cautious about how well the MMO will be able to fulfil its functions.

We welcome the potential to reduce pollution from ships, which will lead to cleaner ports, better fuel efficiency and increased use of renewables. We also welcome the emphasis on improved safety for fishermen while at sea, as the accident rate is too high. We should ensure that regulations do not move too far ahead of the international organisations and non-EU countries, disadvantaging the competitiveness of member states. We need to improve public awareness of the economic and environmental importance of maritime and coastal areas.

Mr. Brazier: Again, the hon. Gentleman cannot have it both ways. He says that he welcomes measures on pollution, but then says he welcomes recognition that we must not disadvantage our own industries. Does he or does he not accept that the right body to drive up standards on pollution is the IMO, so that we keep a level playing field and people stay within the law?

Mr. Williams: I do not quite understand the last point. We have made our position clear: we wish the UK to retain IMO membership but believe that things can be achieved working together in the EU. Perhaps the word "synergy", which the Minister used, might be employed to some advantage.

Lastly, we welcome the fact that it has been decided not to proceed with a European register of shipping and not to have a European coastguard. All in all, there is nothing in the documents that we cannot support, but we would wish to see more substantial ideas coming from the EU, and from the Government in particular, on how the proposals might benefit the coastal areas of the UK.

8.48 pm

Michael Connarty (Linlithgow and East Falkirk) (Lab): The documents were in fact considered by the Select Committee on European Scrutiny on 16 January 2008. It is in the eighth report of the Session 2007-08. The time scale is not for proposals by 2009. The extract from the European Council, which is on page 21 of our report, says that the Commission is invited

> "to report on progress achieved to the European Council at the end of 2009."

There is quite a long way to go before it ever becomes legislation.

I can assure the hon. Member for Brecon and Radnorshire (Mr. Williams) that our Committee will be referring any substantive points proposed for legislation to the European Committees. No doubt he will go along and argue those points in detail. Our Committee thinks that to send certain documents to the Floor of the House for debate is to give them a certain status in the public eye which means that people may then go and read the documents that you have taken the trouble to read—sorry, I should say documents that everyone has taken the trouble to read, perhaps including you, Mr. Deputy Speaker, although I am not quite sure. People will then get to know why they are of such import.

The Minister should be commended for the fact that he was very thorough, not only in today's debate, but in his response to the Committee in his explanatory memorandum. He may have been reading from a report, but it was a report penned almost entirely by him, if my recollection is correct.

I welcomed the first contribution from my hon. Friend the Member for Liverpool, Riverside (Mrs. Ellman) as the new Chair of the Transport Committee. She has learnt her brief very quickly, given that this was sprung on her soon after her selection. I think that Members should also welcome, without churlishness, the fact that our Government have been so much a party to the movement within the discussions and consultation that rejected the European Union shipping register proposal. Our Government also took the lead in putting together forces that led the Commission to understand that it must reject the original proposal for a European Union coastguard. That is part of what the European Scrutiny Committee does in its relationship with the Government, through not a mandatory but a persuasive and, we hope, a supportive system, giving our Ministers strength to go and argue these cases and see off some silly ideas from the Commission.

It is also clear that we have safeguarded our national voice in the International Maritime Organisation. The Commission will come back to us, of course. Let us be honest: it does that. There is Commission creep. The

[Michael Connarty]

Commission will competence-creep, trying to put itself in a position in which it can speak for the whole of Europe, which may mean asking countries to be a little quieter so that its voice can be heard. I hope that that will be resisted at some point.

We should also welcome any action that advances good maritime governance. I am sorry that such action has not been welcomed by those who thought that it should be done by the IMO. We are not in excellent condition. There is too much pollution, and there are too many problems with flagship sources and the behaviour of people in the maritime industry. The EU must think about what is to the best advantage of its own community, of which we are part.

The idea that all marine-related policies must develop within a governance framework that embraces a shared recognition of those connections to ensure that the best results are achieved must surely be in all our interests. It is not contrary to our membership of the IMO. The Commission staff working document develops ideas in relation to maritime clusters in particular, as was mentioned by my hon. Friend. The Commission suggests that they could play a

"role... in increasing competitiveness, boosting jobs and creating synergies between interrelated sectors."

We already have maritime clusters in the United Kingdom. Paragraphs 2.8 to 2.10 of our report outline the concept in some detail. We should welcome the possibility of a European network of maritime clusters working together, some of which can be developed in other countries such as France, Germany and Poland. We already have a model, however. The south-west and the north-west, for instance, are working together in a way that I hope can also be welcomed.

As I told the hon. Member for Brecon and Radnorshire (Mr. Williams), the Commission intends to follow its documents with detailed proposals. I assure him that the European Scrutiny Committee will recommend debate on some, if not all, of them. There are also aspects of the Government's approach that should be welcomed. It strongly emphasises the concept of subsidiarity, as paragraph 2.15 on page 19 of our report makes clear.

We are wary about proposals for more data collection. Paragraph 2.14 on page 18 of the report points out that there is already a collection network, which is not a single organisation but the result of co-operation between a number of research organisations. The possible threat to our competitiveness, which worried the hon. Member for Canterbury (Mr. Brazier)—the possibility that our competitive advantage will somehow be done down if the European Union takes an overarching role—is a threat faced by a number of countries, and one of which we should always be wary. When we standardise, we lose some of our competitive edge, as the Government point out in paragraph 2.14 on page 18.

Mr. Brazier: That is not quite the point that I was making. Will the hon. Gentleman address the issue of the change in the SOx regime, which was introduced by the EU? It is a laudable goal—everyone wants to see lower SOx levels—but the effect was to disadvantage those on EU registers. Other countries, as the Intertanko survey shows, simply chose to disregard it on the basis that, on the balance of probabilities, they would not get caught even if they were trading with Europe.

Michael Connarty: The question of illegality is for the IMO, reinforced by the EU. We must work together on this. If IMO rules are not being policed well enough so that any EU country is disadvantaged, that disadvantages the economy of the EU. We are not in competition necessarily with other EU countries on this, although there are some questions about behaviour in the fishing industry where certain practices have been contrary to the interests of UK fishermen—the double-hulled Spanish vessels for illegal fishing, for example. They were found out and faced some penalties, but the UK has faced penalties as a result of not behaving properly in the fishing industry. A number of cases have been brought against UK fishing companies for malpractice. There is an EU dimension and an IMO dimension. They are not contrary, and anything that produces good governance is to be welcomed.

Mr. Brazier: The hon. Gentleman is being very courteous in giving way but I think he has missed my point. This was an EU rule, not an IMO one. The non-EU registered ships were operating perfectly legally at a different level except on their visits to European ports. That is why, on the balance of probabilities, they thought they could get away without conforming to those levels. It creates a perverse incentive to leave EU registers.

Michael Connarty: I am sure that the Minister was listening to that and that the matter will come up. We would not want that to happen. There have always been scare stories about something that is done in Europe to provide better regulation and standards driving people out, but that is not necessarily the case. We do not give up good standards and practice just because we are worried someone will go somewhere else where they can cheat. Clearly we would not allow them to trade in European waters. The advantage of trading with 500 million people in Europe is attractive, so there are levers we can apply.

The report refers to the importance of involving all parties in the consultation. We heard that Norway, although outside the EU, takes part in these consultations to help form the policy. Similarly, all of our devolved Administrations were involved in it. The report states that Scottish Ministers have considerable interests in the matter, and that of particular interest to Scotland is the protection of the marine environment and biological resources. The report names fisheries that were mentioned by the hon. Member for Na h-Eileanan an Iar (Mr. MacNeil). Welsh Ministers also have an extensive interest in the matter, with 70 per cent. of Welsh marine waters designated for their environmental quality and 40 per cent. of the territorial seas. The report also talks about Ministers from the Northern Ireland Assembly. It gives a good model for the Government for many other policy areas in future. If we make policy together by being involved in consultation, whether with partners outside the EU with a similar interest or those in the devolved Administrations, we will get better legislation.

Mr. Weir: Does the report not also say that the Scottish Government did an additional memorandum because of particular interests in the marine environment which perhaps did not coincide entirely with the UK Government's position?

Michael Connarty: I am sure that the hon. Gentleman is a Europe-watcher, from a Scottish perspective. Policy in Europe is made by compromise; by trying not to disadvantage others, but to get the largest advantage for the majority. That is how people get to vote for things, particularly with QMV.

The hon. Gentleman knows that I have certain views about the common fisheries policy that may coincide with his, but it was not the Labour Government who sold out; it was the Conservative Government who sold out many years ago. It is very unlikely that anyone, apart from those with extreme views, would want to abolish the common fisheries policy. The point is how it is applied, whether it disadvantages others and whether it should only be those with marine and fishing interests who make the policy. Whether it is a wider EU matter will be debated. Should there ever come a time when there is an independent country in Scotland—

Mr. MacNeil: It's coming.

Michael Connarty: The question then would be whether it refuses to join the EU because it could not get the common fisheries policy abolished. I am not going to invite the hon. Gentleman to reply. That question will remain until that comes about, should it ever do so, which I have no great wish for.

The point is that when we involve, as we do involve, the maximum number of people to make policy, we should recognise that that is a good thing. However, it is always a problem if those involved are churlish and want to point score and not really make policy.

9 pm

Mr. Alistair Carmichael (Orkney and Shetland) (LD): I will not detain the House for long this evening. I want to say a few brief words to register a degree of unease about the content of the documents before us.

The Minister knows that I hold him in high regard, but I have to say to him gently that the speech that he read out tonight was just a little on the jargon-heavy side. Just occasionally, it strayed into the realms of the platitudinous. I do not blame him for that, because he was in fact reflecting the content of the documents that we are discussing. Perhaps I might quote for the House's benefit a few sentences from the Scrutiny Committee's report, some of which the Minister has already quoted. It states at paragraph 2.4:

> "The way that marine related policy is made would be changed so that, rather than being developed through compartmentalised dossiers, it would take an integrated form that recognised the relationships and interactions between different activities in the maritime sphere",

whatever the "maritime sphere" is. It continues:

> "To this end, common tools in policy development would need to be used, synergetic approaches adopted and conflicts of interest avoided or resolved. In essence, the document is a grand plan to control the direction of often disparate but related policy strands under an umbrella of consistency of approach."

I wanted to share those few sentences with the House. I should explain that I have a degree in law and a diploma in legal practice. I practised for a number of years as a qualified solicitor. I really thought that I knew a thing or two about the use of language to obscure rather than clarify meaning, but I realised on reading that that I was not a professional in the field; I was barely even a gifted amateur.

My concern, which all here should have tonight, is that we sign up to these vague, rather jargon-heavy platitudes and then, when the devil comes from the detail and we say, "We don't like that", somebody turns round and says, "Ah no, you signed up to it. Here it is, and it was in the report that you all agreed." I am quite happy to agree and to commend the Minister on the progress that the Government have made, particularly in getting rid of the nonsense of an EU coastguard and the nonsense of an EU register. I give the Minister and his predecessor in particular, whom I hoped might be here tonight, credit for their achievements in that regard, but I am concerned that what we are doing—what is contained underneath all this jargon—is something of a political pig in a poke.

Mr. MacNeil: Perhaps this is one of the platitudes that jumps out:

> "The Commission will…promote, within the forthcoming tourism initiative, coastal and maritime tourism".

As we will soon be aware, those running coastal tourism operations will be hit when they will no longer be allowed to use red diesel. That is another example of a lack of joined-up thinking.

Mr. Carmichael: Indeed. In fact, that measure was determined—the House will forgive me if I am wrong—largely before the hon. Gentleman came into the House. I remember quizzing Treasury Ministers on a number of occasions, the hon. Member for Wentworth (John Healey) in particular, about the Government's intentions, and it was always the same thing. It was always a case of, "Well, we don't know the detail of what is being proposed. We've got the whole jargon-laden proposal here, and we will make a decision once we have the detail." Once we had the detail, it was too late.

The hon. Member for Na h-Eileanan an Iar (Mr. MacNeil) is right about the position that has emerged as a result of leisure craft no longer being allowed to use red diesel. It is a mess that adds nothing to the leisure industry, but it will be as important to his constituents as it is to mine. I suspect that it will gain not a single penny for the Treasury's coffers, and we will end up with something that costs more in its enforcement than it will ever bring in through revenue.

My concern is that when one looks at the list of areas that are included in these papers, one sees a great many things that can be done at EU level, but which would be better done either at nation-state level or within the IMO. I am particularly concerned that we never seem to give any particular elbow to our involvement with the IMO. The potential for developing these areas in a meaningful way is immense. Let us consider some of the provisions envisaged for cutting pollution, including greenhouse gases, from ships. They are fine within an EU context, but I suspect that most of the shipping that operates within EU waters has very little connection with the EU.

[Mr. Carmichael]

Given the situation that faced my constituents some 16 years ago, when a New York-owned, Panamanian-registered floating wreck, which was captained by a Greek, spilled oil over half our coastline, anything that the EU has done with regard to pollution coming from ships is pretty meaningless. The opportunity for real, meaningful change to avoid that sort of ecological disaster comes from meaningful enforcement; from taking hard action through the IMO against flags of convenience; from ensuring proper standards for the training of officers and crew; and from ensuring proper maintenance of shipping. There is far too much substandard shipping carrying oil around the world. That will be addressed only at IMO level, and anything we do within the EU will be meaningless at best, or counter-productive and damaging to our own shipping industry at worst.

Mr. MacNeil: I just want to support what the hon. Gentleman is saying. Last week, I saw the Border Heather leaving Ardveenish in Barra. It carries fuel from Grangemouth around the coast of Scotland, and probably to the Orkneys and Shetlands too, and it is registered in the Isle of Man. As the hon. Member for Linlithgow and East Falkirk (Michael Connarty) said, this seems to be a great example of Commission creep.

Mr. Carmichael: I think that Commission creep is a slightly pejorative term, but I know the sentiment that underlies it, and I am not without sympathy. I put it no more strongly than that.

I am sure the House would be disappointed if I sat down without making some reference to fishing. The report draws our attention to

> "an eco-system based approach to fishing, including the stopping of illegal fishing and environmentally damaging fishing practices".

Nobody could take exception to that statement, but I would feel much more comfortable with it if it were to have more regard to, and would tie itself more firmly to, the regional elements that we have seen in recent years in the development of fishing policy and a system that involves fishermen, scientists and other stakeholders in the industry all working together. We need them to bring their expertise to bear to get a system that has credibility with fishermen, with scientists and with conservationists. At the moment, the CFP is none of those things.

There is substantial opportunity for co-operation within the EU between maritime clusters, and that is one of the positives that the papers have identified. However, I wish to place on record my disappointment in one respect. Last weekend in Kirkwall we had a major conference on the future of maritime education, attended by representatives of the shipping industry and of academic bodies throughout Europe, indeed the world. It also included representatives of the IMO and even the EU. We did not, however, have a representative from the UK Government. The project that the conference sought to promote—the northern maritime university—could be a textbook example of co-operation between maritime clusters, but the UK Government simply did not care about it.

Unless we take such issues on board, we will miss a huge opportunity for training the next generation of officers and officer cadets, which will be necessary as the shipping industry takes on the massive expansion that the Government say they expect. However, they could not be bothered to send one person to Kirkwall to learn more about it. That was a disappointment.

9.11 pm

Ms Katy Clark (North Ayrshire and Arran) (Lab): It is a pleasure to follow the hon. Member for Orkney and Shetland (Mr. Carmichael) who powerfully made the case for international regulation to tackle the pollution of our seas, and for the UK maritime industry. I shall be brief, because we are running out of time and I want to give the Minister an opportunity to reply to the many points that have been made. I suspect that many of those issues will be discussed again when we consider the long-awaited Marine Bill, which was discussed by the Joint Committee today. Hon. Members who represent Scottish constituencies will be aware that there is also a Scottish marine Bill that will deal with many of these issues.

I shall focus on the review of European Union law exemptions for the shipping and fishing industries, which I have raised previously. I know the Minister is aware that this issue has been raised in relation to the race relations legislation and the national minimum wage regulations. The hon. Member for Orkney and Shetland will know that the work force who serve the Orkney and Shetland isles on the lifeline ferries are not necessarily covered by the national minimum wage regulations, because they do not cover any of the non-domiciled, non-resident seafarers on all the ships and ferries that leave UK ports. Changes need to be made to UK legislation in that regard, but Europe has a strong role to play in the sector, given that many of the issues do not stop at UK territorial waters.

The European Union is a major bloc, and one of the most civilised areas on the planet, and it is important that we say that we expect the European community to set the highest standards and to push internationally for higher standards all around the world. I think that that addresses some of the points made by the hon. Member for Orkney and Shetland. There is not necessarily a conflict between the two. We have seafarers working on ferries that go out of British ports to other EU ports who earn as little as £1 or £1.50 an hour. I would be interested in the Minister's views about whether the directive is another way we can address that anomaly.

9.15 pm

Jim Fitzpatrick: I am most grateful to hon. Members for their views on this new Commission approach to maritime development policy. We have had some good contributions to the discussion over the past hour or so.

I am grateful to the hon. Member for Canterbury (Mr. Brazier) for his kind words and for the common ground between us. Indeed, there has been common ground between Members from virtually all parts of the House, but then, as the hon. Member for Orkney and Shetland (Mr. Carmichael) said, that was not going to be difficult given the lack of specifics. However, there was common ground notwithstanding the comments that were made earlier.

The hon. Member for Canterbury raised several key points, the most important of which was about subsidiarity. I can reassure him that there is no shipping organisation in which the individual voices of maritime nations could be more effectively replaced than the European Union. I do not think that that could be clearer.

The hon. Gentleman raised the question of the tonnage tax, as did the hon. Member for Isle of Wight (Mr. Turner), and asked for greater clarification. The Government welcomed the European Commission's decision to consult all member states on issues relating to state aid guidelines on maritime transport. We are working with like-minded member states to ensure that that is a meaningful exercise. In the light of the Commission's decision, this is an important opportunity. We have withdrawn our re-notification and will not proceed with the legislation to amend tonnage tax rules, which would have reduced the effectiveness and attractiveness of the tonnage tax, until the Commission has completed its consultation with member states.

The Government are grateful for the fruitful dialogue with the UK shipping industry and will continue this engagement. All sides acknowledge the important role that tonnage tax has played in underpinning the success of the shipping industry and remain committed to the principles that the UK tonnage tax represents.

The new Chairman of the Transport Committee, my hon. Friend the Member for Liverpool, Riverside (Mrs. Ellman), raised the question of EU maritime space without barriers and the security implications. Ostensibly, this is a Customs admin simplification proposal, but more detail will be needed and the Government will look at all the implications of the proposal when it comes forward.

My hon. Friend asked about clusters, which were also mentioned by the Chairman of the European Scrutiny Committee, my hon. Friend the Member for Linlithgow and East Falkirk (Michael Connarty). In England, a number of regional development agencies have already established organisations in their regions to bring together maritime manufacturing interests, such as Marine South West, Marine South East and the Midland Marine Alliance. The Government fully support those initiatives and we look forward to working with the European Commission to ensure that whatever proposals finally emerge will add value to the current arrangements.

My hon. Friend the Member for North Ayrshire and Arran (Ms Clark) raised the issue of support for fishermen in local communities. The common fisheries policy will remain the key measure for fisheries management decisions across the EU.

You must forgive me, Mr. Deputy Speaker, but I have run out of time. I will write to hon. Members about the issues that they have raised. I endorse the Government's approach to these documents.

Question put and agreed to.

Resolved,

That this House takes note of European Union documents No. 14631/07 and Addenda 1-5, Commission Communication, An Integrated Maritime Policy for the European Union and No. 14176/07, Commission Staff Working Document on Maritime Clusters; and endorses the Government's approach to these documents.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Delegated Legislation Committees),

BUILDING SOCIETIES

That the draft Building Societies (Financial Assistance) Order 2008, which was laid before this House on 3rd April, be approved.—*[Ms Diana R. Johnson.]*

Question agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Delegated Legislation Committees),

CONSUMER PROTECTION

That the draft Compensation (Claims Management Services) (Amendment) Regulations 2008, which were laid before this House on 22nd April, be approved.—*[Ms Diana R. Johnson.]*

Question agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Delegated Legislation Committees),

NORTHERN IRELAND

That the draft Sexual Offences (Northern Ireland Consequential Amendments) Order 2008, which was laid before this House on 30th April, be approved.—*[Ms Diana R. Johnson.]*

The House divided: Ayes 279, Noes 6.

Division No. 208] **[9.19 pm**

AYES

Ainger, Nick
Ainsworth, rh Mr. Bob
Alexander, Danny
Allen, Mr. Graham
Anderson, Mr. David
Anderson, Janet
Bailey, Mr. Adrian
Baird, Vera
Balls, rh Ed
Banks, Gordon
Barlow, Ms Celia
Barrett, John
Battle, rh John
Beckett, rh Margaret
Begg, Miss Anne
Bell, Sir Stuart
Benn, rh Hilary
Benton, Mr. Joe
Berry, Roger
Betts, Mr. Clive
Blackman, Liz
Blackman-Woods, Dr. Roberta
Blears, rh Hazel
Blizzard, Mr. Bob
Borrow, Mr. David S.
Bradshaw, Mr. Ben
Brennan, Kevin
Brown, Lyn
Brown, rh Mr. Nicholas
Brown, Mr. Russell
Browne, rh Des
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, rh Andy
Butler, Ms Dawn
Byrne, Mr. Liam
Caborn, rh Mr. Richard
Cairns, David
Campbell, Mr. Alan
Campbell, rh Sir Menzies
Carmichael, Mr. Alistair
Caton, Mr. Martin
Challen, Colin
Chapman, Ben
Chaytor, Mr. David
Clapham, Mr. Michael
Clark, Ms Katy
Clark, Paul
Clarke, rh Mr. Tom
Coaker, Mr. Vernon
Coffey, Ann
Cohen, Harry
Connarty, Michael
Corbyn, Jeremy
Cousins, Jim
Crausby, Mr. David
Cruddas, Jon
Cryer, Mrs. Ann
Cummings, John
Cunningham, Mr. Jim
Cunningham, Tony
David, Mr. Wayne
Davidson, Mr. Ian
Davies, Mr. Dai
Dean, Mrs. Janet
Denham, rh Mr. John
Devine, Mr. Jim
Dhanda, Mr. Parmjit
Dismore, Mr. Andrew
Dobson, rh Frank

Donohoe, Mr. Brian H.
Doran, Mr. Frank
Dowd, Jim
Drew, Mr. David
Eagle, Angela
Eagle, Maria
Efford, Clive
Ellman, Mrs. Louise
Farrelly, Paul
Farron, Tim
Fitzpatrick, Jim
Flello, Mr. Robert
Flint, rh Caroline
Follett, Barbara
Foster, Michael Jabez
(Hastings and Rye)
Francis, Dr. Hywel
Gapes, Mike
Gardiner, Barry
George, Andrew
George, rh Mr. Bruce
Gerrard, Mr. Neil
Gibson, Dr. Ian
Gidley, Sandra
Gilroy, Linda
Goggins, Paul
Goldsworthy, Julia
Goodman, Helen
Griffith, Nia
Grogan, Mr. John
Gwynne, Andrew
Hain, rh Mr. Peter
Hall, Mr. Mike
Hall, Patrick
Hamilton, Mr. David
Hamilton, Mr. Fabian
Hanson, rh Mr. David
Harman, rh Ms Harriet
Harris, Mr. Tom
Harvey, Nick
Havard, Mr. Dai
Healey, John
Hendrick, Mr. Mark
Hepburn, Mr. Stephen
Heppell, Mr. John
Hesford, Stephen
Hill, rh Keith
Hillier, Meg
Hodgson, Mrs. Sharon
Hoon, rh Mr. Geoffrey
Hope, Phil
Horwood, Martin
Howarth, rh Mr. George
Howells, Dr. Kim
Hoyle, Mr. Lindsay
Hughes, rh Beverley
Humble, Mrs. Joan
Iddon, Dr. Brian
Illsley, Mr. Eric
Ingram, rh Mr. Adam
Irranca-Davies, Huw
James, Mrs. Siân C.
Jenkins, Mr. Brian
Johnson, Ms Diana R.
Jones, Helen
Jones, Mr. Kevan
Jones, Lynne
Jones, Mr. Martyn
Jowell, rh Tessa
Joyce, Mr. Eric
Kaufman, rh Sir Gerald
Keeble, Ms Sally
Keeley, Barbara
Keen, Alan
Keen, Ann
Kelly, rh Ruth
Kemp, Mr. Fraser
Kennedy, rh Jane
Kidney, Mr. David
Kilfoyle, Mr. Peter
Knight, Jim
Ladyman, Dr. Stephen
Lamb, Norman
Lammy, Mr. David
Laws, Mr. David
Lazarowicz, Mark
Lepper, David
Levitt, Tom
Lewis, Mr. Ivan
Linton, Martin
Lloyd, Tony
Love, Mr. Andrew
Lucas, Ian
Mackinlay, Andrew
Mactaggart, Fiona
Mahmood, Mr. Khalid
Malik, Mr. Shahid
Mann, John
Marsden, Mr. Gordon
McAvoy, rh Mr. Thomas
McCabe, Steve
McCafferty, Chris
McCarthy-Fry, Sarah
McDonagh, Siobhain
McFadden, Mr. Pat
McFall, rh John
McGovern, Mr. Jim
McGuire, Mrs. Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
McNulty, rh Mr. Tony
Merron, Gillian
Michael, rh Alun
Milburn, rh Mr. Alan
Miliband, rh David
Mitchell, Mr. Austin
Moffatt, Laura
Mole, Chris
Moon, Mrs. Madeleine
Moore, Mr. Michael
Morgan, Julie
Morley, rh Mr. Elliot
Mudie, Mr. George
Mulholland, Greg
Mullin, Mr. Chris
Munn, Meg
Murphy, Mr. Denis
Murphy, Mr. Jim
Murphy, rh Mr. Paul
Norris, Dan
Osborne, Sandra
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Plaskitt, Mr. James
Pope, Mr. Greg
Pound, Stephen
Prentice, Bridget
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Mr. Ken
Purnell, rh James
Raynsford, rh Mr. Nick
Reed, Mr. Andy
Reed, Mr. Jamie
Reid, Mr. Alan
Rennie, Willie
Riordan, Mrs. Linda
Robertson, John
Robinson, Mr. Geoffrey
Rooney, Mr. Terry
Roy, Mr. Frank
Ruane, Chris
Russell, Bob
Russell, Christine
Ryan, rh Joan
Salter, Martin
Seabeck, Alison
Sharma, Mr. Virendra
Shaw, Jonathan
Sheridan, Jim
Skinner, Mr. Dennis
Slaughter, Mr. Andy
Smith, rh Mr. Andrew
Smith, Ms Angela C.
(Sheffield, Hillsborough)
Smith, Angela E. *(Basildon)*
Smith, Geraldine
Smith, rh Jacqui
Smith, Sir Robert
Snelgrove, Anne
Soulsby, Sir Peter
Southworth, Helen
Spellar, rh Mr. John
Starkey, Dr. Phyllis
Stewart, Ian
Strang, rh Dr. Gavin
Straw, rh Mr. Jack
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Mr. Gerry
Tami, Mark
Taylor, Ms Dari
Taylor, David
Thurso, John
Timms, rh Mr. Stephen
Todd, Mr. Mark
Touhig, rh Mr. Don
Truswell, Mr. Paul
Turner, Dr. Desmond
Twigg, Derek
Walley, Joan
Waltho, Lynda
Watson, Mr. Tom
Watts, Mr. Dave
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, Mark
Williams, Mr. Roger
Williams, Stephen
Wills, Mr. Michael
Wilson, Phil
Winnick, Mr. David
Winterton, rh Ms Rosie
Wright, Mr. Anthony
Wright, David
Wright, Mr. Iain
Wyatt, Derek

Tellers for the Ayes:
Mr. Michael Foster and
Mr. Sadiq Khan

NOES

Bone, Mr. Peter
Hollobone, Mr. Philip
Robinson, rh Mr. Peter
Spink, Bob
Winterton, Ann
Winterton, Sir Nicholas

Tellers for the Noes:
Dr. William McCrea and
Mr. Gregory Campbell

Question accordingly agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Delegated Legislation Committees),

NORTHERN IRELAND

That the draft Sexual Offences (Northern Ireland) Order 2008, which was laid before this House on 30th April, be approved.—*[Ms Diana R. Johnson.]*

Question agreed to.

PETITIONS

Southend Driving Test Centre

9.34 pm

James Duddridge (Rochford and Southend, East) (Con): I wish to present a petition on behalf of the residents of Southend concerning the proposed closure of Southend driving test centre. The petition has attracted more than 3,000 signatures since February and was co-ordinated by Southend and District Driving Instructors Association. It reads:

The Petition of the residents of Southend.

Declares that the residents of Southend strongly oppose the closure of Southend Driving Test Centre, which would mean that local residents would have to travel an unreasonable distance to take their driving tests.

The Petitioners therefore request that the House of Commons call upon the Secretary of State for Transport to do all within her power to prevent the closure of Southend Driving Test Centre and ensure that a full and transparent public consultation is conducted should a closure be proposed in the future.

And the Petitioners remain, etc.

[P000195]

Post Office Closures (Ceredigion)

9.35 pm

Mark Williams (Ceredigion) (LD): I wish to present a petition with the signatures of just over 3,000 people from across the Ceredigion constituency representing 14 rural communities which, in our view, will be adversely affected by the Post Office's network change programme. Those 14 post offices will know their fate shortly, and I hope that the Post Office and the Government will take note of the strength of feeling on this issue. The petition states:

The Humble Petition of the people of Ceredigion

Sheweth,

That the closure of Post Offices in Ceredigion would cause considerable hardship for many people living in scattered rural communities, deprive residents of invaluable services, both material and social, would force those people to travel to alternative Post Offices, often several miles or more away, and would leave those without access to a car without an easily accessible Post Office.

Wherefore your Petitioners pray that your Honourable House urges the Government to cancel plans to close Post Offices across Ceredigion

And your Petitioners, as in duty bound, will ever pray, &c.

[P000202]

Southend Driving Test Centre

Motion made, and Question proposed, That this House do now adjourn.—*[Ms Diana R. Johnson.]*

9.36 pm

James Duddridge (Rochford and Southend, East) (Con): I am most grateful for the opportunity to raise the issue of the Driving Standard Agency's proposed closure of Southend driving test centre, to which 3,000 people have objected in the petition that I presented to the House a few moments ago. It is a serious subject for all people in Southend who are considering taking their test or have children who are likely to want to take their test in the Southend area.

The proposed closure of a driving test centre is not a new topic in this House. On 21 May, my hon. Friend the Member for Bridgwater (Mr. Liddell-Grainger) held a Westminster Hall debate about the proposed closure of a test centre in his constituency, and on 13 May my hon. Friend the Member for Westbury (Dr. Murrison) joined a debate on the closure of a test centre in his area. Those changes relate to an European Union directive coming into effect in September, which will change the content of motorcycle tests across the EU by introducing certain manoeuvres that require off-road testing facilities. I do not intend to dwell on the merits of that, but it is a matter of fact that that has happened. Southend driving test centre is situated on Prittlewell chase, deep within the heart of Southend, and has no space for such a facility. The Driving Standards Agency has therefore proposed that all bike and car test operations be moved to a new so-called multi-purpose test centre in Basildon, some 14 miles away from Southend. That does not sound like a long distance, but in fact it can be a 45-minute to one-hour trip.

My feeling and that of several colleagues is that one size does not fit all, and that the Government are imposing a solution on Southend that does not fit. My hon. Friend the Member for Southend, West (Mr. Amess) and I have been campaigning against such a move. My hon. Friend has raised this on the Floor of the House and in written questions to the Minister, and I am most grateful for that. My close parliamentary neighbour and hon. Friend the Member for Rayleigh (Mr. Francois) has also raised it in his constituency and in a number of other ways. Although the test centre is situated in the constituency of Rochford and Southend, East, which I have the pleasure to represent, it is very close to that of my hon. Friend the Member for Southend, West; in fact, if it were another 100 yd further up the road, it would be in his constituency. Given the additional time that has been created for this important debate, I hope that both of my hon. Friends will be able to catch your eye later on in the debate, Madam Deputy Speaker.

I would like to concentrate on why I am against the closure of the Southend driving test centre, and my primary reason is population. I ask the Minister to address those concerns, which I have not seen addressed in depth in other debates. I will also mention issues associated with time, finance and the environmental impact of the proposed move. The Driving Standards Agency's code of practice states that in towns where the population density is greater than 1,250 people per sq km, learner drivers should have to travel no further

[James Duddridge]

than seven miles to a test centre. My hon. Friend the Member for Southend, West solicited that information in a detailed answer to a parliamentary question of Thursday 22 May. Southend is the largest town in Essex. According to the Office for National Statistics' 2006 mid-year population estimate, its population was recorded as 3,829 people per sq km, and the Minister, from previous discussions in previous roles, will know that my hon. Friends and I regard that as a major underestimate.

That population is already more than three times the recommended level discovered by my hon. Friend the Member for Southend, West in the answer to his parliamentary question. The Driving Standards Agency would be breaking its code of practice by having a test centre serve a population density three times higher than the recommended level and at double the recommended distance that learners should travel. It is a totally unsatisfactory situation. What is the point of having such guidelines if someone in the Department—I am unsure whom—is going to overrule them flagrantly?

The current test centre is ideally located in Southend. The moderately sized road that the centre is on has five secondary schools, four of which have sixth forms, meaning that up to 1,000 students in any one year may want to take their test there. The proposed move will be a major inconvenience for them. The university of Essex is developing its new campus in Southend, so another 9,000—maybe more—people of typical learner driver age will be based just around the corner.

Population density is my key objection to the proposal, but I am also concerned about the distance to the new test centre and the time it will take drivers to get there. They will be travelling not only for their test but, on other occasions, to acquaint themselves with the test centre area. If they do not do that, I suggest to the Minister that they will be at a fundamental disadvantage. I was in that position as a 17-year-old, having to travel between 45 minutes and an hour, and I had to make that journey four or five times to acquaint myself with the test area. That certainly did put me at a disadvantage and I am concerned that young students taking their test in Southend will be at a disadvantage because they do not know the roads and the area around the test centre in Basildon. Indeed, there is no reason why they should be familiar with that area.

The two roads connecting Basildon to Southend are the A127 and A13, which are normally heavily congested. The journey could take up to an hour, and in summer it can be an awful lot worse. There are many tourist facilities in Southend; many people go there for a day trip and the roads become heavily congested. I am particularly concerned for constituents from the Shoeburyness area or, just outside the boundaries of Southend, those in the Rochford district, who already have to travel a number of miles to get to the current test centre. The journey will be even further than 14 miles for them.

The extra distance will come at a price. People offering driving tests and practice in the new test centre area will not do so for free. It will take extra time to get there. Costs are already very high for aspirant learner drivers and rising fuel prices and fuel tax are making a significant financial impact. The proposed closure is a further blow to young people who want to be socially mobile, and who want to get to employment and education opportunities. The whole process will be more and more expensive. One company that I have spoken to has already had to increase its rate for a two-hour lesson from £38 to £45, and I am sure that the cost will increase further. Equally, a number of people from Southend will decide that they want to receive all their instruction in Basildon. I can see sensible reasons for doing that, but I am concerned about the loss of employment for driving instructors in the Southend area or the costs of having to relocate nearer to the driving test centre.

Let me deal with a separate issue, which has been touched on in other debates, but which I should like to expand on in more detail: protecting the environment and our carbon footprint. It is important—the Government recognise this—to decrease vehicle emissions, yet the proposal will put cars on the road for longer, polluting further the Southend-to-Basildon area, which is already subject to considerable pollution along the main roads. At a time when the Government are trying to demonstrate their green credentials and sound like they are doing lots, the proposal seems to go in the opposite direction.

Will the Minister say whether an environmental impact assessment of the change has been conducted that considered more than the additional mileage? In terms of both the environment and time spent travelling, 14 miles is not a long way, but if a driver spends most of the way sitting in a traffic jam, pumping out more fumes, there is a much greater impact. I have seen no evidence that the issue has been considered to date, so I would be reassured if the Minister provided that information.

The proposals have met strong objection from local instructors and residents. As someone who does not solicit a large number of petitions, I can confirm that it is quite rare to receive a petition from constituents with more than 3,000 names. That shows quite strong opposition from local residents. I was first alerted to the issue last November and have since met a number of driving instructors, including the very good John Ashton, who represents the Southend and District Driving Instructors Association. John spoke to me not as an individual, but as a representative of the entire association—some driving instructors did not want to be named and were concerned not to be disadvantaged by the test centre management by coming out against the proposal. John emphasised that he was speaking on behalf of all the driving instructors in the association—I believe that means all the driving instructors—and nobody supported the Government's proposal.

In the very full parliamentary answer that my hon. Friend the Member for Southend, West received, the Minister noted that he had received 317 letters of objection. I found that difficult to comprehend, when compared with the petition of 3,000 people that was presented to me for onward presentation to the House. An awful lot of my constituents—and, I suspect, those of other hon. Members—have written directly to the Driving Standards Agency, not to the Minister. I wish that they had bombarded the Minister with letters early on. I know that that would have meant extra work for the Minister and his private office, but they would perhaps have been alerted to the severity of the issue and the strength of public feeling, because I suspect that 317 letters to a Minister's private office is not an enormous number. If the Minister could indicate how much correspondence the Driving Standards Agency has received and what the overall level of objection to the proposals has been, that might put this debate in its proper context.

Let me turn to a potential resolution. I do not want to tell the Minister, "Leave it as is—we don't want to do anything; I don't want any change." Rightly or wrongly, there is EU legislation and we have to comply with it. I was disappointed that the Driving Standards Agency had not consulted Southend borough council. I have spoken to the chief executive, Rob Tinlin, who was keen to engage with the Driving Standards Agency and use alternatives—either a multi-purpose test centre in Southend or, given the advantages of the existing site for cars, separating the two centres. One does not go to a test centre and say, "Can I take my car and motorcycle test at the same time?" Although they are both modes of transport, the tests do not necessarily have to be located in the same place.

The chief executive is willing to consider a number of sites. On my way in, I was explaining the issue to the Doorkeeper, who suggested Southend pier, which is the longest pier in the world at 1.33 miles. It has seen motorcycle activity in the past, with the wheel of death, but I do not think that it is a particularly good option. However, there are several options in the Southend area, and the local council is happy to sit down with the Minister, his Department and the DSA—whoever it takes—to find a more equitable solution that will work for local people and the Department.

I should like the Minister to respond to the points raised in the debate and, ultimately, for us all to sit down with the DSA to establish what can be done for the benefit of the people of Rayleigh, Rochford and Southend to keep a decent driving test centre in the area that can be reached easily by our constituents and future constituents who, quite rightly, want to pass their driving test in their own area.

9.50 pm

Mr. David Amess (Southend, West) (Con): I congratulate my hon. Friend the Member for Rochford and Southend, East (James Duddridge) on securing this Adjournment debate. All that needs to be said has been said, but in spite of that, I want the Minister to hear directly from me—another voice. In speaking, I join my hon. Friend the Member for Rayleigh (Mr. Francois), and it also good to see my hon. Friend the Member for Scarborough and Whitby (Mr. Goodwill) here.

The Minister and I are united in our support of West Ham. On that basis alone, I ask him to tear up the brief given to him by his hard-working officials, which will tell him, "No, Minister; no, Minister; no Minister!" I want this Minister to say yes. He has been very courteous in responding to the points that I raised in April, when he gave me a full answer, but the proposal is totally unsatisfactory. As someone who has been privileged to represent the real Basildon constituency for 14 years, and now Southend, West, I am in a prime position to share with the Minister the ramifications of this proposal. I ask him to stand up not only for Britain, but for Southend, regarding this European Union directive. I have never heard of anything so crazy. Because of motorcycles, all our motorists are going to suffer.

Mr. Robert Goodwill (Scarborough and Whitby) (Con): In Scarborough, motorists can still take their tests there, but motorcyclists will have to travel 40 miles to Hull or Darlington rather than take their tests in Scarborough. So, there is every reason why motor testing should be in a separate place to motorcycle testing.

Mr. Amess: My hon. Friend has got to the heart of the matter, which saves me from enlarging on that point, and I hope that the Minister will respond to it.

We should stand up to this ridiculous directive. I have nothing against motorcyclists, but why should motorists in Southend suffer as a result of the directive?

So far, four of my five children have passed their driving tests, and their father has, for better or worse, been involved in assisting them with their driving. Because I know Basildon so well, I have driven there with them. Given that we lived in the town for so long, we know the roads there extremely well, and I tell the Minister that there is no comparison between road conditions in Basildon and those in Southend. Basildon, which was the first and biggest new town in the country, was not built in the expectation that people would have the number of motor cars that they now have—often up to three. The roads are very narrow and conditions there are entirely different.

It is wrong that the young people in the area that my hon. Friends and I represent, who will be learning to drive in Southend and primarily on those local roads, given that driving lessons are so expensive now, will then have to take their tests in Basildon. The Minister will probably think that that is a silly argument, and that people should surely be capable of driving anywhere, but the people from Basildon taking their test there will be very familiar with the local driving conditions, while the young people from Southend will not. Those young people will undoubtedly be placed at a huge disadvantage. Through driving with my children, I have experienced the practical side of these matters at first hand.

In his courteous letter to me, the Minister drew my attention to the guidelines, but I want to hear how he could possibly justify this decision. The DSA is clearly in violation of the code of practice on written consultations, which states:

> "In more densely populated areas of the country where the population is equal to or greater than 1,250 persons per square kilometre, the practical test centres should be located so that most customers travel no more than 7 miles to a DTC."

Under the proposals, they would have to travel double that distance: 14 miles. That is simply unacceptable. I get fed up with these consultation processes. We have had a consultation, and no one agreed with the proposals, yet they were ignored. That is not democracy; it is simply a diktat. We should not insult the general public by saying that we are holding a consultation, if we are simply going to listen to what they say and then completely ignore them.

[Mr. Amess]

The criteria that I have just mentioned were set out in the Minister's response to my question of 22 May. Southend's population density easily exceeds the criteria: we have 3,829 people per sq km. In a letter from the Minister, he says that the proposed Basildon site

"is 10 miles from the existing centre at Southend-on-Sea".

I dispute that; I say that it is 14 miles away. In any case, the Minister admits that the seven-mile limit has been exceeded. The DSA now wishes to violate its own guidelines and relocate to this multi-centre, which is totally unacceptable. This disaster for the residents of our constituencies is being brought about simply to comply with the directive, and it is totally wrong that the motorists are being placed in an inferior position to the motorcyclists because of that.

The Minister and I love history. The driving test centre in Southend has been there for 60 years. It is not a fly-by-night set-up; all the infrastructure is in place. We have several long-established driving schools there, and they are all used to the test centre and greatly appreciate the facility being there. The opening of the Southend campus of the university of Essex will attract numerous extra students who want to learn to drive. It is not always the case that, as soon as someone is of age, they get a provisional licence and start driving, but the Minister should bear in mind that we are going for a huge expansion of higher education in Southend, and that that will bring in even more business.

The move to Basildon will mean added costs, and emissions will increase. There will be additional wear and tear on the instructors' tuition vehicles. It will also place a burden on a route that already suffers from congestion. My hon. Friends have already mentioned the extra traffic that would have to travel along the A127, which is clearly finding it difficult to cope at the moment. The stand taken by all interested groups could not have been clearer.

Southend and District Driving Instructors Association has been resolutely opposed to the plan from the beginning. It has held rallies and written letters of objection. As my hon. Friend the Member for Rochford and Southend, East said, its petition attracted more than 3,000 signatures. Those signatures are not from Disraeli—

It being Ten o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Motion made, and Question proposed, That this House do now adjourn.—*[Ms Diana R. Johnson.]*

Mr. Amess: As my hon. Friend said, the 3,000 signatures are not from Disraeli or Queen Victoria; they are the genuine signatures of people who will be badly affected by this proposal.

The position of the local community has been clear throughout the 12 weeks of the consultation process and it is no exaggeration to say that the DSA has been bombarded with objections. It refused requests from the association even to extend the consultation period. In this time of climate change and concerns surrounding energy consumption, the extra journeys and the carbon output are in complete contrast with the Government's sustainability agenda, which my hon. Friends and I support.

My hon. Friend the Member for Rochford and Southend, East has already mentioned the important issue of road safety and it is unfair on the residents of Southend suddenly to introduce them to new conditions with which they are unfamiliar. Southend council has done an excellent job in flagging up the concerns of local residents, although I regret to say that the feedback received during the consultation period was perhaps not as robust as might have been hoped. There has been some collation of figures and a submission has been made to the Minister to consider the approval of the agency proposal, taking into account the views expressed, but I must ask again, what has been the point of going out to consultation?

I end with these thoughts for the Minister. The Southend centre is an excellent resource for local people and its closure would genuinely cause severe difficulty for all our constituents. Given that the driving test is not all that easy to pass in any case, this proposal puts a further hurdle in front of them. The move to keep the driving test centre in Southend is supported by the Conservatives, the Labour party, the Liberals and the independents.

I hope that the Minister will ignore his brief and give me and my hon. Friends hope this evening that, given what my hon. Friend the Member for Scarborough and Whitby said, he will carefully consider what has happened in other areas: the motorcyclists have been given an opportunity to do their bit, as has been suggested, but the motorists remain at the existing centre.

I say finally to the Minister that this is not a speech against Basildon. When I was the Member of Parliament for that area, I saved the accident and emergency unit, stopped the relocation of maternity services, stopped school closures and intervened over the railway line and services there, so I would be the last person to turn this into a Basildon versus Southend issue. It is not that at all. I want the best for Basildon, but above all I want the very best for motorists in Southend, which means keeping the test centre where it is.

10.4 pm

Mr. Mark Francois (Rayleigh) (Con): I begin by congratulating my hon. Friend the Member for Rochford and Southend, East (James Duddridge) on securing this important Adjournment debate and, if I may say so, on introducing it so ably. I also congratulate him on presenting a petition bearing the signatures of 3,000 people protesting very clearly against what the Government propose. I have been in the House for longer than my hon. Friend, but I believe that the largest number of names on any petition that I have ever presented was about 1,300. I imagine that 3,000 is a considerable number. I hope the Minister will take account of the strength of local feeling, which I shall now attempt to echo on behalf of my constituents.

I also congratulate my hon. Friend the Member for Southend, West (Mr. Amess) on his apposite contribution. He is in a unique position in that, as he said, he has represented both Basildon and his present constituency. As the proposal is to move the test centre from Southend to Basildon, he could be said to have addressed the issue from both ends. He knows both areas very well, and I hope that the Minister will give weight to what he has said as well.

It is a pleasure to see my hon. Friend the Member for Scarborough and Whitby (Mr. Goodwill) in his place. I know that he takes an interest in these matters, and he gave a pertinent example from his constituency tonight.

I too have constituents who may be affected by the move. Some are potential students, while others are instructors working from the existing test centre who have written to me urging me to raise the issue. I am grateful for the opportunity to do so on their behalf.

Let me ask the Minister a few specific questions. The first concerns the European Union directive that lies at the heart of the change. Was it passed on the basis of unanimity, or by qualified majority voting? I think we should have that on the record. It is often argued that Europe has no real impact on our day-to-day lives, but this is a perfect example of its having such an impact. A directive—in effect, a European law—was passed, and some time later we have seen a change "on the ground". I consider it important for the House to know the background to that change, the method by which the directive was passed, and the Government's position on it.

There is also an environmental point to be made. If the Minister is at all familiar with the roads that link Basildon and Southend, the A127 and the A13, he will know that they can become very busy. When the traffic is light, it is possible to travel at a reasonable pace between the two towns, but when it is at all heavy, it can take a long time to get out of Southend and then down to Basildon. If the standard driving lesson lasts an hour, it is likely that, for a fair part of the day, by the time a student has worked his way out of Southend, perhaps been picked up by the instructor at home, got on to one of the two main roads and reached Basildon, the bulk of that hour will have gone. A lesson lasting at least two hours will be necessary to familiarise the student with the roads around the test centre. That will add to the costs incurred by the student, and the costs that instructors will have to charge.

That last point is particularly pertinent. The service provided by instructors for their students will become more expensive. As I think the Minister will agree—without our getting involved in a debate about global oil prices—we all know that instructors' costs are rising because the cost of petrol has increased considerably. That imposes additional pressure on the instructors, who must raise their fees to cover the cost of the petrol. Now they will sometimes have to make their lessons longer, and more expensive, in order to convey their students to the area where they will practise on the test route. That is a practical, down-to-earth point, and I hope that the Minister will take it on board.

As my hon. Friend the Member for Rochford and Southend, East said, the Essex university campus in Southend has been something of a local success story. As a result, thousands of people who are at the prime age for learning to drive are moving to the area. The Government therefore find themselves in the rather odd position of seeing a large number of potential driving students moving to Southend while they are proposing to move the test centre to Basildon. My hon. Friend's point bears repetition and I ask the Minister to take it on board.

It is not appropriate to make this a partisan debate. My hon. Friend the Member for Southend, West pointed out that all the local parties in the Southend area are opposed to the move so I am not trying to politicise the debate. However, there is a wider issue about the degree to which the Government are getting their message across in the south of England. This could provide the Government with an opportunity to claim that they really are listening to opinion in the south and are taking on points that were put to them. I will be no more partisan than that but the Minister, an old hand in this place, will follow my point. I dangle that not entirely partisan inducement before him and I hope he will listen to it.

At the risk of making an emergency stop, I will halt there. We have a bit of extra time this evening and it is appropriate that we give that time to the Minister so that he has the maximum time to reply. I conclude by saying that this is an important issue locally. A lot of people have taken it seriously and a petition of 3,000 names should not be ignored lightly. I hope that he will take all that into account when he replies.

10.11 pm

The Parliamentary Under-Secretary of State for Transport (Jim Fitzpatrick): I congratulate the hon. Member for Rochford and Southend, East (James Duddridge) on securing the debate on this important issue and on providing a platform for his hon. Friends the Members for Southend, West (Mr. Amess), for Rayleigh (Mr. Francois) and for Scarborough and Whitby (Mr. Goodwill), who is his party's Front-Bench spokesman and appearing under a different guise; quite an accomplishment at the end of a long parliamentary day.

The hon. Member for Rochford and Southend, East stated that the Driving Standards Agency proposal for the future of certain driving test centres had already been raised in the House. In those previous debates, the recent and proposed changes to the delivery of driving tests were set out and, for reasons of brevity, I will not cover all that ground again; clearly it is not necessary.

Developing a new national network of driving test centres has been agreed by Ministers not only to facilitate the new European requirements for practical driving and riding tests, but because the new requirements set higher standards intended to provide driving tests that are more relevant to modern driving conditions. We published our "Safe driving for life" consultation document only four weeks ago. The document raises the question of the abject failure rates for first-time driving test candidates and the fact that we are killing so many people on the roads, particularly young people and motorcyclists.

These new European standards support our domestic strategy for reducing road casualties, which are running at more than 3,000 people killed and 30,000 people seriously injured each year. I regret that I am not in a position to answer the question of the hon. Member for Rayleigh on the voting protocol that

[Jim Fitzpatrick]

passed this directive, but I undertake to research the matter and to write to him and his hon. Friends with the answer.

As hon. Members know, the new centres are based on updated features that will provide modern facilities for local people. The proposed developments have been designed to create attractive buildings that will fit comfortably into the local environment. They are fully compliant with the Disability Discrimination Act 1995 and also support the Government's wider sustainability agenda.

The new centres, known as multi-purpose test centres or MPTCs, will be suitable for the delivery of practical driving tests for learner car drivers and motorcyclists. Where possible, some will also be used for the delivery of lorry and bus driving tests. The DSA has concluded that between 40 and 50 MPTCs would be required to meet existing service standard criteria. However, to maximise population coverage and minimise the number of candidates who have to travel long distances, it is seeking to develop around 60 MPTCs across the country. The DSA owns or leases more than 400 practical driving test centres—the type described by the hon. Member for Scarborough and Whitby. Only in a few exceptions have any of these proved suitable for the development of a full MPTC, so a programme of land acquisition and construction was initiated in 2005.

James Duddridge: I must admit that, on reading the background before the debate, I was confused about why this was being proposed. To me, it seems completely illogical. Is this a cost-cutting exercise? There are 400 sites—is the Minister just trying to realise some cash?

Jim Fitzpatrick: The answer to that is no. However, the DSA is a cost-neutral organisation, so the money that has to be raised will have to be paid for by test fees and transferred to members of the public. Therefore, this is an exercise in managing the cost of these new centres.

Let me deal with that issue now. To date, the DSA has acquired 41 sites. The provision of a national network of MPTCs is expected to cost about £71 million. That cost will largely be recovered through increased fees paid by driving test candidates. As an organisation that relies on test fee income for the provision of its services, the DSA needs to ensure that they are delivered cost-effectively and that avoid unnecessary expenditure. The agency therefore closely examines how it delivers its services and seeks greater efficiencies in the way it conducts its business. This includes reviewing existing driving test centre provision to ensure that, while the service standard is maintained, there is no wasteful over-provision of service.

As I have already mentioned, the DSA has certain service standards that need to be met where possible. In more densely populated areas of the country—all the hon. Gentlemen present have mentioned this issue—where the population density is equal to or greater than 1,250 persons per sq km, most candidates should not have to travel more than seven miles to a driving test centre. I have heard the comments of the hon. Gentlemen on this question, and I will ensure that the statistics they quoted are fully taken into account as part of the consultation exercise.

The existing driving test centre at Southend is located in the offices of the Department for Work and Pensions. This is a 1960s building that does not offer the modern facilities that we try to provide for customers and staff wherever possible. There are also concerns that, if the planned redevelopment in the immediate vicinity compromised its suitability as a test centre, the DSA would need to consider relocation for that reason, irrespective of developments in Basildon.

The DSA has considered how best to meet the needs of driving test candidates in the Southend area. It is proposing to move driver testing in the area to a new MPTC facility at Basildon, some 10 miles away, as has been outlined. The Basildon facility would have the capacity to absorb the demand from Southend without compromising waiting time targets, if acceptable. The relocation of the Southend facility to the Basildon MPTC would ensure maximum utilisation of it and improve the facilities available to candidates and staff in the Basildon, Southend-on-Sea and surrounding areas.

As the distance to the alternative facility exceeds the travel distance criterion applicable to the Southend area, the DSA has undertaken a 12-week public consultation, seeking the views of its customers and other interested parties. The consultation period ended on 9 May and the DSA is considering the responses received. I point out to the hon. Member for Rochford and Southend, East that a final decision has not yet been taken. I know that the chief executive, Rosemary Thew, is aware of this debate and will ensure that the issues raised by the hon. Gentleman and his colleagues, including the environmental impact and the question of consultation with the local authority, are all taken into account.

I have listened to the arguments about the risks from the A13 and A127.

Mr. Amess: My hon. Friend the Member for Rochford and Southend, East (James Duddridge) and I might have misheard the Minister, but we thought that he referred to planned development either side of the existing centre. This is news to us. I do not understand where he has got that from.

Jim Fitzpatrick: I have been referring to the information that I have in my brief. I know that the hon. Gentleman was very keen to encourage me to tear up my brief, and I can assure him that I am not going there. In all honesty, I do not have to, because my brief says that, although the consultation ended on 9 May, the process has not concluded and this debate will form part of the chief executive's consideration. I shall supply details of what is included in my brief in respect of the extant facilities.

James Duddridge: Perhaps I could help the Minister by describing the area. There is no chance of any development, because there is a hospital next door, and the area contains a river that will not be built over and a school playing field. I believe that the Government have legislated against building on that. The point that he made might well pertain to other test centres, but it does not pertain to this one, unless he knows something that we do not—although he has said that he has no extra information.

Jim Fitzpatrick: I am sorry that I am not in a position to give additional information now, but I shall certainly supply that, so that the hon. Gentleman can scrutinise that which I have been given in my brief to explain the background to this issue.

Arguments have been made about the risks of the A13 and A127, and questions have been asked about whether people would be at a disadvantage and whether people are suitably prepared because of the different environments. I am not readily persuaded that that is necessarily relevant to the matter under consideration. The DSA and the Department advocate "Safe driving for life", and I would expect driving on such roads to be included in the latter part of a candidate's training regime in any case. It has to be preferable that experience is gained on such roads when the candidates are accompanied by an experienced instructor, rather than when they are unaccompanied novices and possibly driving immediately after they have passed their test.

We also do not support the view that learner drivers need regularly to practise driving in the area close to the test centre. That is not a sound argument for deciding where to locate local driving test centres. Experience should be gained on a variety of roads, and in a variety of traffic conditions and locations to prepare pupils for not only their test but their future driving career. Visits to the test centre need only be, and should only be, for pre-test familiarisation.

I am not for one second suggesting that instructors in the Southend area are taking candidates around the test course only to familiarise them with it. I am sure that people with integrity are delivering the training in the Southend area. However, in certain parts, we suspect that what I have described is exactly what is happening—people are taught how to pass the test and they are not taught how to drive. One of the big issues that we have raised in the training-for-life approach is our seeking to change the module. Instead of the candidate demonstrating that they are able mechanically to handle a vehicle, we are saying that they should show us that they can drive the car. So, the examiner will not get into the car with the candidate and say, "Go to the end of the road and turn left, and then go to the end and take the first right." Rather, they will get into the car and ask to be taken to the local railway station, the local hospital or the local football ground, whichever involves a well-signposted route along which the candidate would be expected to demonstrate the skills of driving, rather than the training. That is the kind of issue that is being consulted upon at the moment.

In the interests of road safety, driving instructors should be teaching their pupils to drive safely and confidently, not simply to follow known test routes. I would point out that the DSA's database confirms that some customers from the Southend area choose to take their driving tests at the Brentwood, Tilbury and Chelmsford test centres, and that the Southend test centre attracts customers from the Basildon area. Therefore, many driving test candidates already use the major roads in the area.

The hon. Gentleman will be well aware of the difficulty of striking the right balance between the provision of a satisfactory level of public service and the cost that service incurs. I did say to him that this is not a cost-cutting exercise, but I have explained the background to the costs involved.

Mr. Francois: I am not opposed in principle to candidates getting some experience of driving on arterial roads, but I do not think that the Minister has addressed the issue of the transit time involved in getting from Southend to Basildon under these proposed new arrangements. He has also not dealt with how that would, in practice, be likely to extend the lessons considerably, and how it would therefore extend the costs to students and increase what the instructors would have to charge. Will he attempt to address those matters, because they are important?

Jim Fitzpatrick: I am happy to do so.

James Duddridge: I just wish to ask the Minister to return to the issue of cost. He has asserted that this is not a cost-cutting exercise, but if the number of sites is reduced from 400 to 60, 340 sites will be freed up. The Southend site is one of the smallest sites, but it would be worth several million pounds. If the average site is worth £1 million, that is £340 million. The phrase "cost-cutting" is emotive, but I am sure that those involved would wish us to put it to the Minister that cost is a principal driver behind this, rather than the wish to provide good service to the customer. If this was a private sector organisation, it might take a slightly different view.

Jim Fitzpatrick: I can assure the hon. Gentleman that this is not a cost-cutting exercise. We will not close all the test centres, only some, because of the requirement to improve facilities. A mix of arrangements is in place across the country. Some sites are leased; others are not. There is a requirement for additional land for off-road testing for motorcycles, and the £71 million I mentioned earlier is a cost that the DSA has to match. We are not, therefore, talking about a cost-cutting exercise.

The hon. Member for Rayleigh made the point about the cost of additional lessons and travelling for the test. In our consultation document on driver training and testing, we have mentioned that this will be a cost-neutral exercise, on the basis that it costs some £1,500 to pass a test. A small minority of people pass their test first time. If we train drivers to a better standard, perhaps through some additional lessons, they will not have to have a second test or a second series of lessons. The proof of the pudding will be in the eating, and the insurance companies are very interested in drivers being passed to a higher standard, because if novice drivers have fewer crashes—a disproportionate number of crashes involve young drivers and some are killed because many of them think that they are invulnerable—the insurance companies will not have to charge the astronomic premiums that they charge young drivers in their first year. That will come if we can demonstrate that we are training people to a higher standard, that they are safer drivers who have fewer crashes and that they can be trusted. Employers would also be able to take young

[Jim Fitzpatrick]

people on with greater confidence and would not have to undertake in-house training, which many companies do at present because they do not trust the driver-training regime. Given the failure figures and the 3,000 deaths, we all want to see safer drivers.

I cannot assure hon. Members that Southend will stay open, but I can say that the points that they have raised will be communicated to the DSA. Senior management will read *Hansard* and may be watching at the moment, because they know that the debate is taking place. They will be able to observe the strength of feeling and they will also be aware of the 3,000 signature petition presented tonight. They are aware of the correspondence, because they have told me about the hundreds of letters that they have received. They are aware that the consultation exercise is necessary because they are outwith their own guidelines on density, and they know that they have to demonstrate to the satisfaction of an objective observer that it has been done properly.

I cannot give the hon. Members the answer that they want, but I can give them the assurance that this is an objective exercise and will be done properly. I will get back to them in due course on the issues on which I said I would give further answers.

Question put and agreed to.

Adjourned accordingly at twenty-nine minutes past Ten o'clock.

House of Commons

Wednesday 4 June 2008

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

SCOTLAND

The Secretary of State was asked—

Fishing

1. **Mr. Robert Goodwill** (Scarborough and Whitby) (Con): What discussions he has had with the Scottish Executive on the transfer of fishing licences and fixed quota allocations from Scottish fishing vessels. [207929]

The Minister of State, Scotland Office (David Cairns): I have had no discussions with the Scottish Executive on the transfer of fishing licences and fixed quota allocations.

Mr. Goodwill: We have some experience of salmon poaching on the River Esk, but this is the first time we have come across Salmond poaching of quota. The First Minister has imposed a one-way valve, in effect, on quota transfers, whereby quota can be transferred into Scotland but not out. Does the Minister agree that the First Minister is getting a bit big for his boots and is exceeding his powers? Will the Minister take legal action to enforce the rule of law?

David Cairns: The hon. Gentleman raises a serious issue affecting fishing communities, not just in Scotland but around the coast of the UK. The unilateral moratorium imposed by the Scottish Executive without any warning or consultation will be damaging not just to English fishing interests, but to fishing interests in Scotland. It is not just me saying that; the secretary of the Scottish White Fish Producers Association, George MacRae, said it was unfortunate that a moratorium had been placed on

> "a perfectly correct and legitimate trading activity."

In these circumstances, there can be little doubt that the Scottish marine directorate—that is, the Scottish Government—has scored an own goal.

Mr. Michael Moore (Berwickshire, Roxburgh and Selkirk) (LD): Does the Minister believe that the moratorium is legal? What steps are he and his colleagues taking to tackle that issue? More broadly on quotas, he will be aware that as a result of the climate conditions in the North sea and of boats not leaving the harbour because of the fuel crisis, the east coast nephrops fishery in the Farne deeps is down 50 per cent. this year. Given those circumstances, will he give an assurance that there will be no reduction in quota next year?

David Cairns: Issues to do with next year's quota have to be decided at the Fisheries Council. On the first point, the Marine and Fisheries Minister, my hon. Friend the Member for Chatham and Aylesford (Jonathan Shaw), has been in long discussions with Richard Lochhead and the Scottish Executive about ways in which these quota exchanges can be managed and carried out more professionally, but the reality is that to circumvent all of that with no warning and to impose a moratorium that is not universally welcomed in Scotland, let alone elsewhere, is deeply irresponsible.

Miss Anne Begg (Aberdeen, South) (Lab): The fact that Richard Lochhead and the SNP Administration have taken such a unilateral decision blows a rather large hole through the SNP's desire that a Minister from the Scottish Parliament should lead on UK fisheries negotiations in Europe. Obviously they do not think of the good of the fisheries industry across the whole of the UK, or even, as my hon. Friend the Minister has said, in Scotland.

David Cairns: My hon. Friend is right, which is why this will be seen to be a very short-sighted decision. The reality is that when it comes to negotiating the UK position within the common fisheries policy, the SNP is all over the place. It does not want to be in the common fisheries policy and will not even be in the room when these things are being negotiated.

Angus Robertson (Moray) (SNP): I recommend to the Minister that he read the latest editorial from *Fishing News*, which says:

> "Active Scottish fishermen will be delighted that they have a government that is taking their interests to heart."

That is the SNP Government in Scotland. The editorial goes on to say, importantly:

> "Clearly, safeguarding quotas will be of little use if the price of the fuel the boats burn in catching the fish is so high that they are forced out of business."

Why does Scotland have the highest fuel prices when we are the biggest oil producer in the EU?

David Cairns: Is it not absolutely typical that on a question about fishing the hon. Gentleman neglects his core policy, which is to pull out of the common fisheries policy? He knows that such a move will mean renegotiating the entire treaty of Rome, which means getting 27 nations to agree with him. This very point was put to the hon. Gentleman's colleague Richard Lochhead by Gordon Brewer, who asked:

> "Can you name me one member state of the EU which agrees with your idea that the common fisheries policy is in fact optional?"

Richard Lochhead replied:

> "Well, I don't ask other member states for their opinion."

How on earth is he going to negotiate the treaty of Rome from scratch if he does not even ask other member states what their opinion is?

Carer's Allowance

2. **David Taylor** (North-West Leicestershire) (Lab/Co-op): What recent discussions he has had with the Secretary of State for Work and Pensions on the carer's allowance in Scotland. [207930]

The Minister of State, Scotland Office (David Cairns): I have regular discussions with the Secretary of State for Work and Pensions on a range of issues. The carer's allowance provides financial support to more than 472,000 carers across Great Britain, including 44,170 in Scotland.

David Taylor: In the east midlands of England, we can only aspire to the admirably high standards delivered by the Scottish social care system, rooted in the Care 21 report on the future of unpaid care in Scotland. How is the idea of devolving the carer's allowance to Holyrood being implemented? What will be the source of funding for any subsequent increases in the allowance rate and in the new kinship carer's allowance, details of which were announced yesterday?

David Cairns: My hon. Friend has a long tradition of, and reputation for, campaigning on these issues. I am aware that he has raised the issue of the carer's allowance with my hon. Friend the Minister with responsibility for disabled people. He rightly points out that Scottish standards in social care are excellent and have been through various Administrations, and I commend Scotland's social care practitioners on that. I shall reserve judgment on the kinship carer's allowance until I have seen the colour of the Scottish National party's money, because what we have got used to in Scotland over the past year are high-falutin' announcements with absolutely no money to pay for them.

Mr. Tom Clarke (Coatbridge, Chryston and Bellshill) (Lab): Given the increase in child care places in England following the Aiming High review, does my hon. Friend agree that if that were replicated in Scotland, as intended, the need for the carer's allowance would decrease as more parents would be able to find jobs?

David Cairns: I think the whole House acknowledges the role that my right hon. Friend has played in campaigning in this area, particularly for the rights of disabled children and their carers. It is simply a matter of growing national scandal that the money that has been allocated, thanks to the report that he offered, precisely for carers of disabled children in Scotland has simply not got through to them. The issue must be pursued with the First Minister to ensure that money that should be going to the families of disabled children actually gets to them.

Sir Robert Smith (West Aberdeenshire and Kincardine) (LD): Given that next week is carers week, it is important to recognise just what a vital role carers play in supporting their family and those in need. Could the Minister say what reassurance he can give carers who collect their carer's allowance at post offices that following his discussions with the Department for Work and Pensions they will continue to be able to do so after 2010?

David Cairns: It is our intention that people will be able to carry on collecting carer's allowance on a universal basis, but, obviously, negotiations on the Post Office card account are ongoing. I commend the hon. Gentleman on getting in a question about post offices, though.

Antonine Wall

3. **Michael Connarty** (Linlithgow and East Falkirk) (Lab): What discussions he has had with the Secretary of State for Culture, Media and Sport on the nomination of the Antonine wall as a world heritage site. [207932]

The Secretary of State for Scotland (Des Browne): This is a very exciting opportunity for Scotland, which already boasts five world heritage sites. In 2003, the Government endorsed the working up of a formal bid for world heritage status for the Antonine wall, and in 2007 the nomination was submitted to UNESCO as an extension of the frontiers of the Roman empire transnational world heritage site. As my hon. Friend knows, between 2 and 10 July in Quebec a decision will be made on the bid by the World Heritage Committee.

Michael Connarty: I thank my right hon. Friend for that reply; obviously, he has researched the matter well. He will know that one third of the Antonine wall runs through Falkirk district, starting from Borrowstouness—or Bo'ness—in my constituency, and passing through Camelon, where the most northerly fort of the Roman empire, Rough castle, is well preserved. Will he join me in praising the work of Falkirk council and, in particular, the chair of the cultural committee, Adrian Mahoney, who has made this his priority for Scotland? Can the Secretary of State assure us that the resources of the UK Government will be put together with the efforts of Falkirk to ensure that this is delivered as a UNESCO world heritage site in 2008?

Des Browne: I commend my hon. Friend and Falkirk council, which is one of five councils across Scotland supporting this bid and has sustained the infrastructure of the Antonine wall in its present state. That allows it to become part of this international application for world heritage status. I have no difficulty in commending Falkirk council on the work that it has done. In 1999, it secured lottery funding to improve the infrastructure, and it continues to discuss with the Heritage Lottery Fund not only how to exploit the tourism potential, but the restoration and maintenance of the sites, as indeed do other councils. My hon. Friend can rest assured that not only the United Kingdom Government but the Austrian and German Governments, who are also involved in this international bid, will put all the resources necessary behind it to secure this important status.

Jo Swinson (East Dunbartonshire) (LD): I very much welcome the Secretary of State's comments. I am sure we all wish the Antonine wall bid team well and congratulate all those involved in preparing the bid, including those in East Dunbartonshire, which also contains a section of the wall. If, as we hope, the Antonine wall secures world heritage status next month, will he facilitate discussions between the Scottish Government and those involved in the Glasgow 2014

Commonwealth games project to ensure that that opportunity is taken to promote this fascinating piece of Roman heritage in the cultural activities surrounding the games? That would also help to bring the wall to an international audience.

Des Browne: The hon. Lady and her local council deserve credit for the energetic support that they have given to the bid. She will be aware that the Scottish Executive are part of the international group of those who are supporting the bid. Securing that status will generate significant potential, not just in cultural terms but in terms of tourism, and will present a good opportunity to combine the exploitation of that potential with the 2014 Commonwealth games. I shall do everything I can to ensure that all these objectives and opportunities are exploited fully. For my own part, I have already written to the committee to express the support of the Scotland Office and the UK Government at that level for this bid.

Rosemary McKenna (Cumbernauld, Kilsyth and Kirkintilloch, East) (Lab): It would appear that the whole House is in agreement with the efforts to ensure that the Antonine wall is regarded as an important and historic site. Will my right hon. Friend do all he can to add to the representations of the Labour-led North Lanarkshire and East Dunbartonshire councils for this recognition to be awarded to the wall, significant parts of which run through my constituency?

Des Browne: It may only be a coincidence, but conspicuous by the absence of their support for the wall are those who were kept out by it when it was built. We may hear from that part of Scotland as well. It is good that there is cross-party support for the bid, for obvious reasons. My hon. Friend is a champion of this bid and deserves recognition for that, as do her local councils for the work that they have done. This is an important part of Scotland's heritage and we are proud of it. It is now getting the recognition that it deserves after a significant time. It links Scotland into international relationships across Europe, of which Scotland is very proud and has been for some time.

Postal Services

4. **Mr. Alistair Carmichael** (Orkney and Shetland) (LD): What recent discussions he has had with his ministerial colleagues on postal services in Scotland. [207933]

The Minister of State, Scotland Office (David Cairns): My right hon. Friend and I have regular discussions with ministerial colleagues on a range of issues.

Mr. Carmichael: The interim report of the Hooper review concluded that the only people who had benefited from the liberalisation of the letter post market were a handful of banks and credit card companies and that it had also led to a real threat to the universal service obligation. Was that what the Government intended when they undertook this enterprise? What are the Government doing now to ensure that the threats to the universal service are not realised, because once it is lost we will never get it back?

David Cairns: We remain committed to the universal service obligation, which is why we are investing hundreds of millions of pounds in a sustainable post office network. I know that some closures of post office branches in the hon. Gentleman's constituency have recently been announced, with six to close and 66 to remain open. If we were not investing to the degree that we are in sustaining the post office network and the universal service obligation, those figures would most likely be reversed. We are committed to a universal service and a vibrant post office network, and that is why we are putting the money in.

Malcolm Bruce (Gordon) (LD): With the closure of Montgarrie post office, and the announcement of the closure of—*[Interruption.]*

Mr. Speaker: Order. The SNP group must behave themselves in the Chamber. It is bad manners: when an hon. Member is putting the case for his constituency, he should be heard.

Malcolm Bruce: Thank you, Mr. Speaker. With Montgarrie post office closed and Rhynie, Lumsden, Kennethmont and Collieston suffering reduced hours, does the Minister acknowledge that those communities will lose both income and services? More to the point, with uncertainty over the future of the Post Office card account, no post offices in my constituency or any other can feel confident about the future, even if they do not face closure now.

David Cairns: The right hon. Gentleman raises an important point. There have been several closures but, as he recognises, the future is now more certain for many post offices because we are providing help and support. As I said to the hon. Member for West Aberdeenshire and Kincardine (Sir Robert Smith), discussions on a replacement for the Post Office card account are under way and we are committed to its continuation. The right hon. Gentleman knows that people's shopping habits have changed, and they are now accessing services in different ways. The Post Office has to adapt to that new reality, but we are not walking away from our commitment. Indeed, we are investing massively to sustain the network.

National Identity Register

5. **Mr. Philip Dunne** (Ludlow) (Con): Whether personal data held by the Scottish Executive and their associated public bodies will be held on the national identity register. [207934]

The Secretary of State for Scotland (Des Browne): The answer to the hon. Gentleman's question is no. The national identity register will hold basic personal identity information obtained during the enrolment process and maintained by the applicant.

Mr. Dunne: If the Scottish Government refuse to use the ID card, does the Secretary of State not agree that having a separate scheme in Scotland from that in the rest of the UK will fatally undermine a national ID card?

Des Browne: Not at all. I suspect that the hon. Gentleman does not fully understand where the strengths of the scheme lie. He also probably does not understand his party's policy on identity cards, given that 80 per cent. of the scheme and its costs relate to e-passports, which are supported by his party. The scheme and its integrity depend on being able to build a database that links biometrics to the individual person's identity so that it can be protected. Whether any service, devolved or otherwise, chooses to use that opportunity to check the identity of those people who access the service will in no way undermine the scheme.

Mr. Ben Wallace (Lancaster and Wyre) (Con): The Government have constantly said that the ID card scheme would help to protect Scotland from the threat of terrorism. The Anglo-Irish treaty in 1921 will mean that Irish citizens will not be required to have an ID card, and the Government's legislation will mean that foreigners who stay for three months or less in Scotland will not have to have one either. Do not these foreign exemptions, plus the opposition of the Scottish Government, mean that the ID card scheme in Scotland is a colossal waste of money and an unnecessary threat to civil liberties?

Des Browne: It is nothing of the sort. The hon. Gentleman has asked me questions at the Dispatch Box about the ID card scheme before. On the last occasion, it was manifest that he did not understand his party's policy of support for 80 per cent. of the scheme. The scheme underpins e-passports, and 80 per cent. of the cost and administration of the scheme is required for the e-passport scheme that his party supports.

Let me deal with the issue of whether the existence of a national identity scheme helps us to tackle terrorism. Of course it will, for the following reason: 67 terrorists have been convicted in the UK courts in the past 18 months, and it is almost certain that 90 per cent. of them had multiple identities. Anything that helps those whom we charge with stopping those people carrying out their evil tasks in this society will be useful. That is not only my view; it is that of those we send to police such matters, who say that the single most important thing we can do to protect ourselves against terrorism is to introduce an identity scheme.

Mr. Alan Reid (Argyll and Bute) (LD): The Scottish Parliament has quite rightly decided that it wants nothing to do with the scheme, yet Scottish residents will still have to pay for identity cards and for the running of the national identity register through their taxes. Will the Government not accept that this is just an expensive waste of money that would be better spent on employing more police?

Des Browne: There is a fundamental misunderstanding about this scheme, it would appear, across the Opposition Benches. I know what the hon. Gentleman's party's position is, but I ask him rhetorically whether he supports the e-passport system. If he supports his party's policy, he will. The national identity scheme is necessary to underpin and support that e-passport system. Any UK citizen who wants to travel in the 21st century will require an e-passport. We will require a database that connects biometrics to those citizens' identities. To extend that for the comparatively small number of people who will not have passports so that they can take advantage of the opportunity seems positive to me. That is what the people of Scotland think, and it is what the vast majority of people in the UK think. The hon. Gentleman and his party had better get connected to the opportunity.

Local Taxation

6. **Mr. Eric Joyce** (Falkirk) (Lab): What representations he has received from the Scottish Executive on arrangements for collection of local taxation. [207935]

The Secretary of State for Scotland (Des Browne): I have received no representations from the Scottish Executive in relation to the arrangements for collection of local income tax.

Mr. Joyce: I thank my right hon. Friend for his answer. Does he share my concern that the Scottish National party Administration's plans for a local income tax in Scotland appear to bring 55,000 students within the ambit of local income tax for the first time?

Des Browne: Another flaw in the SNP local income tax policy is uncovered daily, and this particular one relates to the policy's alleged fairness. An answer to a question in the Scottish Parliament revealed that 55,000 students would be brought into paying local income tax. Of course, all those students are exempt from paying council tax. I have a series of quotations from student leaders indicating how unfair the policy would be, but I think that we all know how unfair it would be. It is bad enough that we did not know that it would affect those students, but we do not know how the money would be collected, and those are only two of several major flaws in the plans for local income tax.

Stewart Hosie (Dundee, East) (SNP): On local taxation in Scotland, the Secretary of State will know that the UK Government confirmed in 1997 that council tax benefit would form part of the Scottish block. That was repeated in the funding statement published by the Government in October 2007. Will the right hon. Gentleman confirm that if the Scottish Government proceed with changing the nature of local taxation in Scotland, this Secretary of State will hold fast against the Treasury and ensure that the UK Labour Government do not denude Scotland of the £400 million that it gets to offset local taxation in Scotland?

Des Browne: To all but a very small minority of people, it appears quite clear that if there is no council tax, there is no need for any council tax benefit. The SNP's fundamental problem with the policy—there are many other problems—is that it promised the people of Scotland that it would unveil a tax system that would be fair, but it has unveiled a tax system with a number of manifest unfairnesses, and it is seeking to cover them up by trying to access a benefit that relates to the taxation system that it said was unfair and that it wanted to remove. That does not make any sense.

Ann McKechin (Glasgow, North) (Lab): I share the concerns of my hon. Friend the Member for Falkirk (Mr. Joyce) about the effect on students in Scotland. When my right hon. Friend the Secretary of State next meets the First Minister, will he get clarification of whether the policy will affect English students studying in Scotland or Scottish students studying in England?

Des Browne: I will of course seek to clarify that issue for my hon. Friend. The fundamental problem faced by the SNP with its proposal for a local income tax—it would certainly not be local, of course, having been fixed centrally—is that we have revealed this week the flaw that it will affect 55,000 students. The SNP must explain why that manifest unfairness will be imposed on students, whom it was elected to help support.

David Mundell (Dumfriesshire, Clydesdale and Tweeddale) (Con): The Treasury, no doubt in consultation with the Justice Secretary, has said, along with several legal experts, that a tax that is set and collected on a Scotland-wide basis would not be sufficiently local to remain within the powers devolved to the Scottish Parliament. Does the Secretary of State thus intend to make a formal legal assessment of the competence of the Scottish Government's proposals, or does he propose to leave it to aggrieved taxpayers to test them in the courts?

Des Browne: I am sure the hon. Gentleman knows that we have not yet seen the legislative proposals. I am not surprised that the SNP Executive are having such difficulty in drafting and revealing them because another problem becomes apparent every week and every day. When we eventually see the proposals, there will of course be an assessment, as is the case with all legislation, to ensure that they are compatible with the devolution settlement.

David Mundell: I thank the Secretary of State. He might be aware that Professor Alan Page, a professor of public law at the university of Dundee, has said of the SNP's proposed local income tax:

> "It is inevitable that the matter would end up in the courts; it is unavoidable…The question of legality will cast a long shadow over the proposal until it is settled one way or another."

As the guardian of the devolution settlement, does the Secretary of State not believe that he has a responsibility to help to settle the matter?

Des Browne: Of course I have responsibilities in relation to the devolution settlement; they are set out in law, and I intend to fulfil them. In my experience of practising law, it is always unwise for a person to anticipate what they will be asked to express a legal opinion on, and if one asks five lawyers for a legal opinion, one gets six different opinions. In my position as Secretary of State for Scotland, with those responsibilities, it seems wise to wait to see the legislative proposals. I have, in the Advocate-General, access to one of the leading lawyers in Scotland. I rely on his advice regularly. He will give me advice, and if it is necessary for me to act on it, I will do so.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [207944] **Mr. David Kidney** (Stafford) (Lab): If he will list his official engagements for Wednesday 4 June.

The Prime Minister (Mr. Gordon Brown): Before listing my engagements, I am sure that the whole House will wish to join me in sending our profound condolences to the family and friends of Marine Dale Gostick, who was killed in Afghanistan on Sunday 25 May. We owe him, and all those who have given their life in the service of our country, a huge debt of gratitude.

This morning I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall have further such meetings later today.

Mr. Kidney: On behalf of myself and other Back Benchers, may I add my condolences to the family and friends of Marine Dale Gostick, who was killed in an explosion in Afghanistan? Our thoughts are also with his two comrades who were seriously injured in that explosion.

The tragic killings from stabbings are causing concern everywhere in the country, though I stress that they are not happening everywhere. Will my right hon. Friend accept that, alongside tough laws on possession and use, it is important to take action with families, schools and communities to tackle a culture that allows some people to think that it is acceptable to carry a weapon?

The Prime Minister: I, too, send my condolences to the families of those who have suffered as a result of knives and violent crimes in recent weeks. Every parent will want their teenage sons and daughters not only to be safe, but to feel safe in our neighbourhoods. That is why knives are unacceptable, and we have to do everything in our power to deter their use. That is why the average sentence for carrying a knife is rising, and that is why there are three times as many people in prison for the possession of knives. That is why we are using the powers of stop and search. In London, in Operation Blunt 2, some 4,000 people were stopped and 200 arrested. That is why wands, arches and metal detectors are being used. That is why we need visible policing to back up our safer school policy, support for parents in their communities, and the education programme that we are carrying out.

The whole House will agree on the presumption that we prosecute, on which the Association of Chief Police Officers will lay down its proposals in the next few days. It is right, when we see young teenagers below the age of 18 carrying knives, that the presumption that we prosecute should now extend to 16-year-olds as well; that is what the Government propose.

Mr. David Cameron (Witney) (Con): I join the Prime Minister in paying tribute to Marine Dale Gostick, who was killed in Helmand province on 25 May. He died serving our country and we should honour his memory.

The Chancellor of the Exchequer is today in front of the Select Committee on the Treasury. The next tax hike planned by the Government is to hit family cars, including those bought seven years ago, with massive increases in vehicle excise duty. Is the Prime Minister really going to go ahead with this deeply unpopular tax when families are struggling with the cost of living, or can he give us another of his trademark U-turns?

The Prime Minister: If the right hon. Gentleman looks in detail at the proposal, he will see that the majority of drivers will benefit from it. If he looks in detail at his own policy, it says:

> "We recommend...changes in VED, aimed primarily at influencing the used car market where annual running costs comprise a larger proportion of total costs."

What he proposes is a band in excess of £500; that is far worse than what he says that we are proposing.

Mr. Cameron: When is the Prime Minister going to learn that new green taxes should be offset, one by one, by cuts in family taxes? The Prime Minister says that we should look at the detail; let me take him up on that, because he spews out statistics that, in any other walk of life, would result in trading standards officers coming in and clamping him in irons. He says that next year, half of all motorists will be better off or no worse off; that is what he has just said. The full effect of the tax rise is not planned to take effect until 2010, and the Treasury has said that under this regime, 81 per cent. of cars will be worse off—once again, dodgy statistics from the Prime Minister.

Let us start when the tax was first announced. Can the Prime Minister tell us why the Chancellor, in his Budget speech, made no mention of the fact that the tax would hit people who had bought a car up to seven years ago? Why no mention?

The Prime Minister: It was in the Budget documents. Twenty-four of the 30 top models, which are the most popular models, will have the same or lower tax as a result of it. The right hon. Gentleman says that he supports green taxes. He also said a few days ago that

> "there will be tough choices to make for the environment and I won't shy away from them for one moment".

Let us assume that we both agree on the need for green taxes. Let us also agree that we need to deal with polluting cars, and let the right hon. Gentleman tell us that he now supports our policy.

Mr. Cameron: If a company director got up and read out a statement like that, the authorities would be after him. The Prime Minister says, "Let's concentrate on the detail." Let me take one of the things that he has just said. He said that 24 out of the 30 car models will not be affected. That is what he just said. What he is doing when he uses that figure of 24 is treating the Ford Focus, for example, as one model. In fact, there are 40 models of the Ford Focus. There is the saloon, the estate, the green car—*[Interruption.]*

Mr. Speaker: Order. Let the Leader of the Opposition speak.

Mr. Cameron *rose*—*[Interruption.]*

Mr. Speaker: Order. Are hon. Members defying the Chair?

Mr. Cameron: I know the Prime Minister thinks that one fills up a car with a barrel of oil, but I am speaking about the cars that people buy with their money. There are 40 models of the Ford Focus—*[Interruption.]* I do not know why Labour Members are all shouting at me. It is the Prime Minister who has given them the lowest poll rating since Michael Foot.

Back to the Ford Focus. There are 40 models of the Ford Focus. Only three of them are better off. When will the Prime Minister stop using such dodgy statistics to back up his figures?

The Prime Minister: As a result of the measures that are being taken to deal with polluting cars, a third more cars in this country are low polluting and a quarter are less polluting, so we are making advances in encouraging people to buy the less polluting cars. The right hon. Gentleman says that he supports green taxes. Steve Norris, who was on his quality of life review, says we should return to the fuel duty escalator. When will the Conservative party be honest? When Conservative Members say that they support green taxes and then run away from every one of them, is it not like the Leader of the Opposition when he cycles to work, with his car following? He is sounding more and more like a used car salesman today.

Mr. Cameron: It is not my Back Benchers who are telling me to get on my bike. It would do the Prime Minister good to get out a bit. The tax is not a green tax; it is a stealth tax. The former Transport Minister, the hon. Member for South Thanet (Dr. Ladyman)—I do not know whether he is on the Prime Minister's cold calling list—said:

> "A 'green' tax that you cannot avoid by changing your behaviour is not a 'green' tax, it's just a tax."

What on earth is green about taxing someone who bought a Ford Mondeo five years ago?

The Prime Minister: Now the right hon. Gentleman says that there can be green taxes, but he excludes any tax on a car from being a green tax. Does he not know that the reforms will save 1.3 million—*[Interruption.]*

Mr. Speaker: Order. The hon. Member for Surrey Heath (Michael Gove) is too near the Speaker's Chair to be shouting. He should be quiet.

The Prime Minister: I was pointing out to the House that we expect the reforms to save 1.3 million tonnes of CO_2 and to increase by 50 per cent. the number of clean cars that pay little or no vehicle excise duty because they are the least polluting cars. So we are making a change in the way we use energy for the environment. The Leader of the Opposition says that he wants significant incentives to encourage the ownership of vehicles. Why will he not support the measures that are before us?

Mr. Cameron: That is absolutely no answer to the question of how on earth it is green to tax someone who bought a car five years ago. The director of Greenpeace says:

> "It's the kind of measure that gives green taxes a bad name because it does not change behaviour."

A bit closer to home, we have a Government Parliamentary Private Secretary, the hon. Member for Wolverhampton, South-West (Rob Marris), who asks, quite rightly

> "how can you change behaviour when you are introducing a tax on an action that took place seven years earlier? ...millions...could be affected".

The hon. Gentleman said that this is "retrospective taxation" and that it is "undesirable". If this is the Government policy that the Prime Minister is so proud of, what is that man still doing in the Government?

The Prime Minister: We have put forward our proposals on VED. The Conservatives put forward a document suggesting even more extreme and radical proposals than this. The right hon. Gentleman is backing away from his proposals as he has done on just about everything else. I believe that we have to deal with the problems of pollution. He said that he would, but he refuses to do so.

Mr. Cameron: This Prime Minister is now so weak that members of his own Government can come out and attack his policy, and they just sit there as part of his Government.

The Prime Minister keeps telling us about reports to the Conservative party; let me read him some reports to the Labour party. This is one from *The Times* yesterday, with quotations from Cabinet Ministers: "He's made terrible misjudgments,"; "He's crap at communication,"—*[Interruption.]* None of them have the nerve to challenge him in a leadership election; perhaps they would like to own up to the quotes. Come on—who was responsible for this one:

> "the Government is being buffeted by storms rather than steering a clear course"?

Anyone? Hands up!

Mr. Speaker: Order. Just ask the question.

Mr. Cameron: Why does the Prime Minister not realise that if he is still here next April, he will have to get rid of this deeply unpopular and unenvironmental tax? Does he not understand that if he does not get rid of it, they will probably get rid of him?

The Prime Minister: I now know what the head of the right hon. Gentleman's own policy commission on the environment meant when he said of the Leader of the Opposition:

> "Whether he's riding a bike, or visiting glaciers, it's all part of projecting a message...A lot of people will say this is just opportunism. They may be right."

When it comes to the issue of supporting action on the environment, we now find that the right hon. Gentleman runs away at every point. When it comes to helping the poor, he says that he wants to help the poor and then does not support our tax cut. When it comes to helping the low paid, he does not support the minimum wage. When it comes to helping the environment, he runs away.

Sandra Osborne (Ayr, Carrick and Cumnock) (Lab): I welcome the Prime Minister's comments on tackling knife crime. Will he join me in sending condolences to the family of 18-year-old Laura Thomson, who was knifed to death in a brutal murder in my constituency? Does he agree that this issue affects families throughout the United Kingdom and will he have discussions with the Scottish Government on how this can best be tackled throughout the UK?

The Prime Minister: I thank my hon. Friend and I join her in sending condolences to the family that have suffered so much as a result of a knife crime that has led to a death. As I said earlier, we have to take every possible measure to remove knives from our streets. That is why we have taken the action that we have, and that is why tomorrow we will be publishing more proposals about what we can do. I think that it is very important that every parent gets the message that they, too, are responsible when their teenage children are carrying knives. We want to support them in every effort to get knives off the streets.

Mr. Nick Clegg (Sheffield, Hallam) (LD): I would like to add my own expressions of sympathy and condolence to the family and friends of Marine Dale Gostick.

We have all been appalled by the grotesque spectacle of Robert Mugabe lecturing the world on food security just as his Government are blocking the distribution of food aid to his own people. What message does it send when a man who has brought ruin and starvation to his own country continues to be honoured by a knighthood from ours? Will the Prime Minister at least accept that it is difficult to put pressure on other countries to do their bit to bring the Mugabe regime to heel if we do not take this simple, basic step? Will he take immediate action to strip Mugabe of his knighthood?

The Prime Minister: I am less interested in the symbols than in the substance. We have got to get elections in Zimbabwe that are seen to be free and fair, and we have got to get international observers to be present at those elections so that they are seen by the world as free and fair. Zimbabwe deserves to have a Government who are fully democratically elected and put in place, and that is where I will put my efforts. As for the famine in Zimbabwe, and the loss of lives around the world as a result of famine, I hope that the right hon. Gentleman will agree that it was important that we were represented at the United Nations conference yesterday.

Mr. Clegg: Of course I agree with the Prime Minister's tough words, but they need to be translated into action. Will he therefore make it clear that unless minimum standards are met for the conduct of the elections, including the admission of international observers and explicit statements from Zimbabwe's military leaders that they will recognise the outcome of the poll, the UK will block all foreign currency remittances to Zimbabwe that fund Mugabe's odious regime, and that he will request our allies in the region, and the world, to do the same?

The Prime Minister: We will of course look at every action that we can take, but the first thing to do is to ensure that these elections are free and fair. We are working with other countries to ensure that there are international observers from other parts of the world, as well as from Africa. There is a need for hundreds of observers because of the geography of the country and the threats of intimidation. I am working with the president of the African Union, the president of the South African Development Community and other leaders around the world to ensure that the offer of international observers is there and is taken up. I hope that the whole House will agree that that is the first priority to ensure that the elections are free and fair.

Mark Durkan (Foyle) (SDLP): Will the Prime Minister accept the very wide welcome that there has been for the shift in policy by his Government that contributed to the ban on cluster munitions being agreed in Dublin last week? Can he assure us that he is determined that the British Government will be among the first 30 to sign the treaty later this year to bring it into effect? Can he give us indications as to the time scale for ratification in this Parliament, and also the time scale for the ending of the British Government's stockpiles and the removal of the US stockpiles?

The Prime Minister: I am grateful to the hon. Gentleman for raising this issue and for his long pursuit of a ban on cluster bombs. I was pleased that the United Kingdom was able to break the deadlock in the negotiations that were taking place and pleased that other countries followed us in making their decision that they too would ban cluster bombs. I believe that this treaty can now move forward to being signed. Of course, there were countries who were not present at these negotiations and who also have to be brought in, and it is my intention to talk to all those countries to see that we can have a global treaty that will outlaw the cluster bombs that have done so much harm.

Q2. [207945] **Bill Wiggin** (Leominster) (Con): What advice does the Prime Minister have for people who receive nuisance phone calls early in the morning? The caller has a metallic voice, he just will not hang up, and he has a very repetitive message. If the Prime Minister is not able to put a stop to it, will his Cabinet?

The Prime Minister: Again, the Conservatives have the chance to ask anything on behalf of their constituencies and they reduce the debates in the House of Commons to trivia. I am happy to be in contact with and talking to people in the electorate; perhaps the hon. Gentleman should do so as well.

Q3. [207946] **Mr. Michael Clapham** (Barnsley, West and Penistone) (Lab): The Prime Minister will be aware that energy forecasters are predicting that oil prices will be $150 a barrel by the end of the year. He will also be aware that because of oil contract price indexing, gas prices follow oil prices, making windfall profits for the energy companies worldwide. Does he agree, therefore, that there is a need for a united and concerted effort to decouple gas prices from oil prices?

The Prime Minister: I agree with my hon. Friend about the problems that have been caused to every citizen of the country by rising oil prices and rising gas prices. I think that people know that oil was $11 a barrel 10 years ago; it is now $130 a barrel. That means that petrol prices have risen and gas and electricity prices have risen. There are things that we can do internationally as well as nationally. We have raised the winter allowance, taken action to help low-income households, and suspended the rise in fuel duty for the time being, but there are also things that we can do internationally. One is that the European Union sorts out the gas and electricity markets, and we are pressing for that liberalisation to go ahead in the next few months. Another is the inquiry that Ofgem is mounting into competition in the industry. I believe that we need a dialogue between all oil consumers, gas consumers and gas and oil producers so that we can get the price of oil down, to the benefit of all people in this country.

Sammy Wilson (East Antrim) (DUP): The Prime Minister will be aware of the Sinn Fein threat to bring down the Northern Ireland Assembly tomorrow. I am sure that the irony of republicans wishing to reinstate rule from London will not be lost on the House, or on the people of Northern Ireland. Will he give an assurance that the Government will not cave in to this blackmail, and that in the event of direct rule having to be reintroduced—something that my party will do its best to avoid—the Sinn Fein agenda, which it has not been able to persuade the Northern Ireland Assembly to adopt, will not be adopted by his Government or the House?

The Prime Minister: The hon. Gentleman can be absolutely sure that we will stick to the policies that we have pursued. I can also tell him that I have had talks with the leaders of all the parties in the Administration in Northern Ireland; I hope that we can move forward tomorrow, and that the new First Minister will be nominated, as will the Deputy First Minister. I believe that that can and will happen. I would also like to take the opportunity to thank the retiring First Minister, who is not with us today, for all his efforts on behalf of the peace process and on behalf of reconciliation. He truly has made a historic contribution to the future of Northern Ireland.

Q4. [207947] **Mrs. Sharon Hodgson** (Gateshead, East and Washington, West) (Lab): Can the Prime Minister tell the House why his judgment is that we need 42 days' pre-charge detention, and not to rely on the Civil Contingencies Act 2004?

The Prime Minister: This is an issue that the House will debate next week. It is important for the House to know that we have put in place what I believe are major civil liberties safeguards to prevent the arbitrary treatment of the individual. We have put in place safeguards that require any order that comes before this House to be approved by the Director of Public Prosecutions. We would require a vote of this House—a second vote—before there could be any opportunity to go up to 42 days. We are putting in place the right for the independent reviewer to examine any case where the up-to-42 days provision is used. At the same time, a judge must review the case every seven days.

I have to tell the House that for 11 years, I have been looking at these issues, whether as Chancellor or in this job, and we have seen how the complexity and sophistication of the investigations that need to be conducted have grown. We saw in one case only two years ago that there were 400 computers, 8,000 CDs and 25,000 exhibits that needed to be examined, which compares dramatically with where we were 10 years ago. If we are to take the advice of the police, the former head of the counter-terrorism command, who published an article this week, the former head of MI6, Sir Ian Blair, who is the head of the Metropolitan police, and the head of the Association of Chief Police Officers, we know that this power will be needed at some time. With all the safeguards that we have put in place, I believe that it is right for the House to vote for the up-to-42 days proposal that we are putting forward.

Mr. Speaker: I call Boris Johnson.

Mr. Boris Johnson (Henley) (Con): Thank you, Mr. Speaker, and thank you for all your kindness over the years.

Can I use my last few seconds in this great cockpit of our nation to ask the Prime Minister to join me in congratulating the London authorities on successfully implementing the ban on alcohol on tubes and buses, and on doubling the safer transport teams so that we will have more uniformed people on buses than at any time in the last 25 years? Can I point out to him that no matter how hard working—

Mr. Speaker: Order—[Hon. Members: "More!"] I am the boss in here, not the Mayor, and I have got to tell him that he should only have one supplementary. He has had three, so we will have to leave it at that.

The Prime Minister: I am sure that the whole House is going to miss the contributions of the hon. Gentleman, not only in speech, but in writing—those have been more significant over the last few years.

I welcome the ban on alcohol. I hope that the hon. Gentleman will agree that the policy put forward by the Home Secretary and the Secretary of State for Children, Schools and Families earlier this week to deal with the problems of alcohol among young people is a major step forward in holding parents, as well as young people, responsible for binge drinking. I hope that he will also accept that the reason why crime has fallen in London is that there are 6,000 more police officers and 4,000 community support officers. That would not have been possible without the previous Mayor and the decisions of this Government.

Q5. [207948] **Dr. Ian Gibson** (Norwich, North) (Lab): In the pending equalities Bill, will my right hon. Friend agree to put discrimination on the ground of age alongside discrimination on the grounds of religion, sexuality and disability and at the heart of what could be a world-beating Bill? Many people think that the claims of the elderly are only a matter of perception, but it is a true problem in the health service and in access to insurance services. I hope that he agrees that, having introduced winter fuel payments and free bus passes, it would be very sad if notices suddenly went up saying, "No old people here."

The Prime Minister: The Government will publish our response to the consultation on discrimination law later this month, and we propose to have an equalities Bill in the Queen's Speech when it is published later this year. I agree with my hon. Friend: 1.2 million people now work beyond state pension age and many over-60s need protection in law. That is why, in 2006, we introduced legislation to outlaw age discrimination in employment and vocational training, and it is why he can look forward to the proposals from my right hon. Friend the Leader of the House.

Q6. [207949] **Mr. Angus MacNeil** (Na h-Eileanan an Iar) (SNP): The Prime Minister might want to watch "Truth, Lies, Oil and Scotland" on the BBC tonight—a programme about Scotland's oil, which is not even at its peak. But may I give the Prime Minister another truth? My constituents in Lewis, Harris, Uist and Bara are paying the greatest fuel tax in the UK, with fuel priced at £1.40 a litre—about £6.50 a gallon. Will he give some of the £4.4 billion fuel windfall to offset the cost of fuel by 3 per cent. in the Scottish islands—something that he has already agreed to do for areas of rural France?

The Prime Minister: It is precisely because Scotland is part of the United Kingdom that there are 200,000 more people in employment in Scotland today than there were 10 years ago. Just as Scotland benefits from all the measures that we have taken to deal with fuel poverty, so, too, is North sea oil part of the revenues of the United Kingdom. I will fight to defend the Union of the United Kingdom and I hope that all other parties—except the nationalists—will continue to do so as well.

Q11. [207954] **Mr. David Crausby** (Bolton, North-East) (Lab): The hospice in my Bolton constituency wants to take part in a national hospice lottery draw, but is prevented from doing so by the limits on proceeds in the Gambling Act 2005. Will my right hon. Friend take a sympathetic look at the legislation to allow hospices across the country to raise funds and deliver their extremely valuable work?

The Prime Minister: The 2005 Act made it possible to double the limits on society lottery proceeds to £10 million over the course of a year and £2 million for an individual lottery. I know that the Lotteries Council and the Hospice Lotteries Association submitted a request to the Sports Minister to change those limits and we will consider that proposal, but I remind my hon. Friend that the amount that can be raised has been doubled. We continue to want to do all we can, both in Government finance and in helping charitable fundraising, for this country's great hospice movement.

Q7. [207950] **Mr. Shailesh Vara** (North-West Cambridgeshire) (Con): Given the Prime Minister's keen interest in constitutional matters, what is his view of the strong possibility that there will be not merely one but two unelected Prime Ministers in this Parliament?

The Prime Minister: Again, the hon. Gentleman had a chance to ask about employment, the health service or transport. The more important issue is what we do for our constituents. That is what I shall continue to do.

Q8. [207951] **Dr. Howard Stoate** (Dartford) (Lab): My right hon. Friend will be aware that many of our most prestigious sporting clubs, which have millions of young supporters, are sponsored by alcohol firms.

Given the evidence that young people's alcohol intake is influenced by advertising, will he take this opportunity to organise a review of alcohol advertising in sport, especially in the light of the welcome publication this week of the youth alcohol action plan?

The Prime Minister: My hon. Friend has great experience as a doctor and I praise him for the work that he has done in the medical profession. I agree with him that all sports should take a responsible approach to alcohol advertising. The Portman Group, which brings the drinks companies together, has agreed to place a voluntary ban on advertising on children's football shirts, and we are undertaking a review of the relationship between the price of alcohol, promotion and harm. The very issues my hon. Friend raises will be dealt with as part of that review.

Mr. James Paice (South-East Cambridgeshire) (Con): Two and a half years ago, as Chancellor, the Prime Minister signed a policy statement, which said that domestic food production was neither necessary nor a sufficient condition for food security. Given all the meetings that he has had on the subject, does he still agree with that—yes or no?

The Prime Minister: We are a trading nation and we benefit from our ability to trade with the rest of the world, and food imports and exports will always be part of what we do. I do not think that anybody believes that one country on its own, operating in a global economy, will produce all the kinds of food that it needs. We should get a trade agreement so that we can get food prices down and deal with the food shortages by encouraging production in other parts of the world. We must also look at the eco-fuel issue, which many people have raised as being a diversion from food production, but we are part of a global economy and we should accept that as a reality.

Q9. [207952] **Mr. Clive Betts** (Sheffield, Attercliffe) (Lab): When responding to my constituents, who rightly raise concerns about the rising cost of living, does the Prime Minister agree that I should remind them of not only the practical steps that the Government are taking to help people on low incomes with their fuel bills, but the fundamental strength of our economy, compared with the crisis that we faced 20 years ago? That strength has enabled cities such as Sheffield not only to regenerate its local economy but, most of all, to create in one city, in the past 10 years alone, 72,000 new jobs. That has happened through the policies of the Labour Government.

The Prime Minister: Even in the past year, under difficult economic circumstances, 500,000 new jobs have been created in this country. People will at some time have a choice between whether to go with the policies of the Leader of the Opposition, who was economic adviser to the Government who created 15 per cent. interest rates, 3 million unemployed, the biggest tax rises in history and, at the same time, negative equity, and a Labour Government who have got more people in work than ever.

Points of Order

12.32 pm

Mr. Robert N. Wareing (Liverpool, West Derby) (Lab): On a point of order, Mr. Speaker. May I seek your guidance? Just after the Queen's Speech, you made an announcement about the need for Members to abide by the parliamentary convention that they should not interfere in other Members' constituencies. On 25 January, Lord Adonis came to my constituency and, on 1 February, the Secretary of State for Children, Schools and Families also came. They both visited schools in my constituency. I was not made aware of the visits and I understand from leaflets that were put out in the constituency that they were there on the encouragement of Mr. Stephen Twigg, who wishes to unseat me at the next election.

Mr. Speaker: That is not a point of order. However, I have said on previous occasions, and I reiterate it now, that when Ministers intend to come to a constituency, they should write to the hon. Member concerned and show them the courtesy of letting them know that they are going to be in the constituency. Of course, they do not need to ask the permission of a Member of Parliament to come into the constituency, but they must notify them. That is the convention, which should be adhered to. I will not be drawn into the argument about motives.

Sir Robert Smith (West Aberdeenshire and Kincardine) (LD): Further to that point of order, Mr. Speaker. What advice applies to the Prime Minister when he visits a constituency to hold a meeting? Should the Prime Minister also notify us of his visit?

Mr. Speaker: All Ministers of the Crown should do that.

Bank Holiday (Contribution of Polish Citizens)

12.34 pm

Daniel Kawczynski (Shrewsbury and Atcham) (Con): I beg to move,

That leave be given to bring in a Bill to establish a bank holiday to celebrate the contribution of Polish citizens to Great Britain since 1940.

When invasion came to Poland in 1939, there was terrible suffering by the Poles. On that first day, 1 September 1939, many Polish aircraft were destroyed on the ground, in the German forces' dastardly attack. But those Polish pilots did not just give up; they came to this country to continue the struggle against fascism. Some 145 Polish pilots defended the skies during the battle of Britain. Polish 303 Fighter Squadron claimed the highest number of kills of any squadron during the second world war. In total, eight Polish fighter squadrons formed within the RAF claimed 629 axis aircraft destroyed by May 1945. Older citizens of this country remember those brave airmen and their gallantry, but it is difficult for people of my generation to remember their contribution. I hope that my Bill will remind them.

We must also remember that the breaking of the Enigma codes was critical to our victory in the second world war. Polish cryptographers played a leading role in the project at Bletchley Park, a fact not generally known. Later today, I shall donate a book to the Library on the role that Polish cryptographers played at Bletchley. According to the Foreign Office, 45 per cent. of all intelligence reports from continental Europe came from Polish informants. Many of those brave Poles were sent back to Poland by the British security forces to spy on the Germans and to bring valuable information back to Britain about armaments production and all the other things that the Germans were doing. Poles fought with the British in Monte Cassino, north Africa and Arnhem. Britain let them stay after the second world war and they have contributed ever since.

Now we face a new wave of immigration into this country from Poles. They are young, energetic, hard-working people. They are builders, plumbers and decorators; they pick our fruit and vegetables in the fields; they are doctors and engineers. We will not see many Poles on the dole or breaking the law. Most Poles are extremely hard working and law-abiding, and make a tremendous contribution to this country. However, we are now reaching the point at which more Poles are returning home than are coming to this country. When they go, we will miss them dearly.

I have come in for a lot of criticism for introducing my Bill, from various people, but the reason I am doing so is that nine out of 10 immigrants to this country are not Poles or even eastern Europeans; they are from further afield—Africa, the West Indies and the Indian sub-continent. Yet the liberal elite of the BBC constantly refer to immigration from Poland, using the Polish community as a cat's-paw to try to tackle to the thorny issue of mass unchecked immigration into our country. [HON. MEMBERS: "Rubbish!"] That elite realise that immigration has become uncontrolled and needs to be discussed, but they will not dare to refer to

[Daniel Kawczynski]

controversial immigration from other parts, always referring repeatedly to Polish immigration. I have undertaken a study of BBC coverage of immigration. Those hon. Members shouting, "Rubbish!" would be amazed at the amount of BBC coverage that focuses on white, Christian Poles because it is politically correct to do so.

I am also appalled by Trevor Phillips of the Commission for Racial Equality. If what is being done to Poles was being done to a black or other ethnic minority group, it would simply not be tolerated. I demand that the Commission for Racial Equality also focus on white ethnic minorities in this country, so that nobody is penalised or made to feel like a scapegoat. As chairman of the Conservative Friends of Poland group, I have come across many cases pointing to increased violence towards Poles in this country. I am convinced that that is a result of the media coverage by the BBC.

I feel extremely passionately about the issue. As a person of Polish origin, I have tried not to abuse my position here in the House of Commons to focus on Poles, yet I feel compelled to speak out because of my deep concern about how Polish immigration is being covered in the media.

On many occasions, I have spoken to you, Mr. Speaker, about the Polish community. You showed great courtesy and kindness to me in the remarks that you made. You spoke to me about the fact that, as a young boy, you went to mass in your parish, conducted by a Polish chaplain who was there to look after the Polish officers who had stayed in Scotland after the war. Your support and comfort mean more to me than you will ever know. I am extremely grateful for the opportunity to raise this matter in the Commons.

12.40 pm

Simon Hughes (North Southwark and Bermondsey) (LD): The hon. Member for Shrewsbury and Atcham (Daniel Kawczynski) is entitled to come to the House to ask us to recognise the contribution made by Poles in this country. I unreservedly do so. I am not of Polish origin, although my sister-in-law comes from a Polish family. I have many Polish constituents and I have Polish friends. I was at school with Polish youngsters in mid-Wales, where they had settled, as they did in other parts of the country. However, I do not think it a well conceived idea to introduce a Bill to give a bank holiday to recognise one group of people, however eminent, who came and served alongside us in this country. I would like the House to reflect on how we ought really to deal with this matter, but deal with it in a different way.

There is no doubting the bravery of the Poles in wartime. They had a special role in our services, especially the Air Force, and they are rightly commemorated. The Poles were not the only people who came from eastern Europe to help in the war. The Czechs also supplied brave people. As you will know, Mr. Speaker, people of other countries—not eastern Europe, but other parts of Europe—specifically came and helped in our struggles. In particular, the Norwegians and the Dutch came to help us in our time of need during the last war.

There are people whom we could recognise as having served us in those dark days from 1940 to 1945, but there are others who came from different parts of the world and gave fantastic military service, such as people from many of the islands of the Caribbean. Large numbers of people from India and what are now Pakistan, Bangladesh and Sri Lanka served in our forces. People from most African countries in the empire—not just South Africa, but the poorest countries such as Sierra Leone—served with great distinction. People from other parts of the world also came. If we were to recognise people who were not British born but who came and served with us, there would be a host of nations that we ought to recognise together.

Since the war, people have come here and made a fantastic contribution in peacetime. Many people whose countries are not members of the European Union but who are European citizens have lived here for 20, 30 or 40 years and contributed, but they are not entitled to full EU rights. Norwegians are such an example.

There are people who have served alongside us in other conflicts, some well conceived and others less so. The French and the Israelis were with us in the Suez conflict. Whether that was a good place to be, history will tell. There are probably a dozen other major countries from all over the world that are with us in Afghanistan to this day, and contributing—for example, the Baltic states, Ukraine and Denmark provide troops. Again, there are others who are assisting in the protection of British interests around the world. People have come from all over the world to do the building, the plumbing and all those other things.

If we are to recognise immigrants in Britain, let us do so, but let us remember, too, the breadth of immigration. Immigrants have come from almost every country in the world. I am privileged to represent a constituency that probably contains people from every country. The other day at my surgery, for the first time I spoke to a woman from the Comoros islands, which indicates the range of people who come here.

We need to be careful when we get into the debate on immigration. To my knowledge, no party has ever argued for uncontrolled immigration. No party has ever considered that to be a responsible attitude. There are different ways of dealing with immigration, and certainly it could be dealt with better. We all accept the need for controls. However, it is obviously wrong to have a go at legal immigrants in this country.

I want to pay a tribute. Were it not for immigrants from Poland, eastern Europe, Africa, Asia and the rest of the world, most of our public services would not function and, in truth, much of the private sector would not function either. If there is a case for recognising immigrants, let us do so, but let us do the same for those who served us in wartime and those who serve us in peacetime.

If the hon. Member for Shrewsbury and Atcham wants to engage in a debate about bank holidays, there is a debate to be had. I have long argued that there should be a St George's day bank holiday in England, a St David's day public holiday in Wales and a St Andrew's day public holiday in Scotland as well as the St Patrick's day holiday in Northern Ireland. There are four other obvious candidates for celebration: Commonwealth day on the second Monday in March—we could rightfully celebrate that as a holiday—VE day in May, United Nations day in October, and Human Rights day in December. There are plenty of causes for celebration and for another bank holiday, but, however much I understand his personal commitment, I hope the hon. Gentleman will accept that to single out one nation and its contribution for one specific recognition would not be in the interests of either the Polish community or the other communities in the United Kingdom.

I shall not seek to divide the House on whether the hon. Gentleman should have leave to bring in his Bill, but if he managed to get it as far as a Second Reading debate I would vote against it. I believe that we should be much more inclusive and not so specific in recognising people in this country who come from elsewhere and have contributed so much in peace and in war.

Question put, pursuant to Standing Order No. 23 (Motions for leave to bring Bills and nomination of Select Committees at commencement of public business), and agreed to.

Bill ordered to be brought in by Mr. Daniel Kawczynski, Mr. John Battle, Greg Mulholland, Ann Winterton, David Wright, John Bercow, Mr. Denis MacShane, Stephen Pound, Mrs. Nadine Dorries and Dr. Alan Whitehead.

BANK HOLIDAY (CONTRIBUTION OF POLISH CITIZENS)

Mr. Daniel Kawczynski accordingly presented a Bill to establish a bank holiday to celebrate the contribution of Polish citizens to Great Britain since 1940: And the same was read the First time; and ordered to be read a Second time on Friday 17 October, and to be printed [Bill 114].

Dan Norris (Wansdyke) (Lab): On a point of order, Mr. Speaker. When the Leader of the Opposition asked his question about vehicle excise tax during Prime Minister's Question Time, should he not have declared that he had received a donation from a Bournemouth motor company, Jacksons?

Mr. Speaker: Donations are a matter for individual Members, and I should not be drawn into it.

Opposition Day

[13TH ALLOTTED DAY]

Volunteering

Mr. Speaker: I should inform the House that I have selected the amendment in the name of the Prime Minister for the second debate.

12.48 pm

Mr. Francis Maude (Horsham) (Con): I beg to move,

> That this House welcomes National Volunteering Week and the publication of the report of the Morgan Inquiry; recognises the outstanding contribution made by volunteers to what, sixty years ago, William Beveridge called 'the vigour and abundance of voluntary action...which are the distinguishing marks of a free society'; notes that every week millions of people volunteer their time for others, providing indispensable personal care and attention in all of Britain's communities; emphasises the continuing importance of volunteering even as the voluntary sector expands its paid workforce and takes on the delivery of public services; further notes that some voluntary organisations experience shortages of volunteers in key positions; supports the call of the Commission for the Future of Volunteering for 'volunteering to become part of the DNA of our society'; congratulates employers who encourage and make time available for their employees to volunteer; and urges the Government to address the bureaucratic barriers that lie between volunteers and volunteering.

The Chancellor of the Duchy of Lancaster is currently abroad, and the Minister has courteously explained his reasons for not being present. On behalf of the Conservatives, let me say that we regard the Minister as a more than adequate substitute, and look forward to hearing him speak at both ends of the debate if the House consents to that course.

Everyone is in favour of volunteering. This could turn out to be one of those debates in which there is a serious danger of violent agreement breaking out. It is good to see that no amendment has been tabled to our motion, which I think will be seen as a positive development by the world of volunteering. It will see the House, as would be expected, responding to national volunteering week in a unified and consensual way.

This year marks the 60th anniversary of the Beveridge report on voluntary action, in which he said that

> "the vigour and abundance of voluntary action...are the distinguishing marks of a free society".

He is often described as the architect of the welfare state and is sometimes thought of as the apostle of stateism, but he was by no means that. He was a passionate advocate of the benefit to society of what people do themselves.

This is national volunteering week, as I said, which I am sure is why the Chamber is relatively empty. I am sure that hon. Members are taking part in voluntary activities. [HON. MEMBERS: "Henley!"] My hon. Friends make the most ignoble suggestion that the voluntary activity—

Tom Levitt (High Peak) (Lab): That would not be voluntary.

Mr. Maude: Exactly—but I digress.

There have been three major reports, in quick succession, on volunteering: Baroness Neuberger's wide-ranging and excellent Commission on the Future of Volunteering; the Morgan inquiry, which looked at the barriers that discourage young people from volunteering; and, yesterday, my right hon. Friend the Leader of the Opposition launched our radical and groundbreaking policy paper on voluntary action in the 21st century. The latter is very much the work of my hon. Friend the Member for Tunbridge Wells (Greg Clark), who has immersed himself in the subject for some years and is widely regarded in the sector as a serious authority on it.

Every week, millions of people across Britain volunteer their time for others, providing indispensable personal care across the country. Less than half of those voluntary groups receive any income from Government, and most of them simply would not exist without the work of volunteers. A survey of 59 hospices has concluded that the value of volunteering to the hospice movement as a whole is £112 million, which is almost equal to the financial contribution of the NHS. It estimated that for every £1 spent on supporting volunteers, hospices receive a return worth more than £11, so there is a huge return on modest investment. Indeed, few investments can produce such a rich yield.

Whole areas of community life would simply cease to exist without volunteering. Local sport is an obvious case in point, as 93 per cent. of sports clubs use volunteers. According to Sport England, volunteer coaches, officials, minibus drivers, match secretaries, umpires, treasurers, stewards and countless other helpers sustain more than 100,000 affiliated clubs with more than 8 million members. The annual contribution to sport is about 1 billion hours a year. The London Olympics, in 2012, will mobilise and rely on the energy of many hundreds of thousands of volunteers specifically for that event.

We know that Britain stands well in international comparisons of volunteering. It is unclear exactly how much volunteering is done, as different studies show different numbers, but we are exceeded only by Norway, among comparable countries, on the number of people who do any volunteer work. About half of Norway's population are volunteers, compared with about 30 per cent. of ours. However, if one measures the number of volunteer hours rather than the number of volunteers, we slip down the ranks to fifth among comparable, developed nations. We compare rather less well with Sweden and the Netherlands, in particular, on the contribution that is made by volunteers. They are well ahead on volunteering as a share of gross domestic product. Those figures suggest that there are very different patterns in different countries, as one would expect.

In Britain, lots of people do some volunteering, but a smaller proportion here than in other countries volunteer regularly. Volunteers are spread pretty evenly across age ranges, with no huge bias in any particular range. Women are twice as likely as men to volunteer, as are those who describe themselves as religious. The Charity Awareness Monitor independent quarterly review shows that except for a few shallow peaks and troughs, the level of volunteering has remained essentially unchanged at a little below 20 per cent. To add to that confused picture, while some volunteering organisations say that they are reaching saturation point, others warn of a shortage.

Mr. Henry Bellingham (North-West Norfolk) (Con): Is my right hon. Friend aware of the excellent work being done by the third sector and volunteers in prisons and youth offender institutes? They are going in and helping youngsters, in particular, to rebuild their self-esteem. Above all, they are giving them the confidence to go out and find work when they leave prison. Is he aware that many volunteers are put off by the over-onerous and over-bureaucratic work of the Criminal Records Bureau, which puts in place obstacles that surely should not be quite as tight as they are?

Mr. Maude: I shall come to exactly that concern. I was going to mention the work on penal reform and the incredibly important work that needs to be done to address our appalling rates on the reconviction and reimprisonment of prisoners. My hon. Friend puts his finger on an important point.

Some parts of the volunteering sector have as many volunteers as they need, whereas others warn of a shortage. That indicates that episodic volunteering is flourishing, rather than the kind of long-term commitment that most volunteering organisations seek. Youth organisations such as the Scouts and Guides are, happily, growing fast, but they are finding it hard to recruit enough leaders to cope with the serious growth in the number of young people who want to take part in those activities.

There have also been shortages in the public service. The number of special constables has dropped sharply in the past 10 years. The National Trust reports an increase in volunteer numbers but a decrease in the amount of time that the average volunteer can contribute. At the same time, there is evidence that some existing volunteers are taking on ever more responsibilities. It is not surprising that in a Volunteering England survey of charities, 86 per cent. of respondents said that their priority was to keep existing volunteers rather than to search for new recruits.

A fantastic amount is being done, and nothing that we or any other party proposes should in any way diminish our recognition and celebration of that. Every volunteer whom I meet—I expect that other hon. Members have found the same—passionately wants more people to volunteer and volunteers to do more.

Mr. Tobias Ellwood (Bournemouth, East) (Con): Will my right hon. Friend pay tribute to the Royal National Lifeboat Institution, whose headquarters are just outside my constituency? The RNLI is a great example of how a national charity can not only raise funds but perform an important service, rescuing up to 22 people a day. It succeeds because it is independent of Government interference.

Mr. Maude: The RNLI is an amazing national institution that carries out a crucial public service in an exemplary way. My hon. Friend makes an extremely important point: the fact that the RNLI is able to raise that funding and to use volunteers to the extent that it does puts it in the happy position of being independent of government. The pluralism to which that contributes is a crucial part of a free and civil society. I am grateful to him for drawing attention to that point.

Ian Lucas (Wrexham) (Lab): Does the right hon. Gentleman agree that a real challenge for volunteering in an era of high employment is encouraging people who are in work to do voluntary work? One of the most powerful ways of doing that is to persuade volunteers how much they can personally gain from volunteering.

Mr. Maude: I totally agree, and I shall come to that point, which has been addressed in our policy paper that was published yesterday. There are great benefits not only for the employees who give their time to volunteer, but for employers. I shall return to that point towards the end of my speech.

We support the Government's desire to build on what already exists, and we share many of their ambitions, but I want to look at their record. I do not want to be churlish or partisan, but there are some differences of approach that it would be only right to highlight in the debate. In recent years, there has been a bit of a tendency for Ministers to launch one "eye-catching initiative"—as Tony Blair used to describe them—after another to boost volunteer head count. There is a suspicion—these are not my words—that many of those initiatives amount to little more than a launch, a lunch and a logo. Despite the evidence that a culture of volunteering has to be grown from the bottom up, the Government have slightly tended to prefer a top-down approach involving high-profile Government initiatives. Rather than investing in the grass roots of volunteering, there has been a tendency to create more public bodies that, from the top, aim to change what happens.

Tom Levitt: I noticed that catchy phrase, "a launch, a lunch and a logo" on page 22 of the right hon. Gentleman's document. Will he give us some examples of initiatives that he thinks have failed in that sense?

Mr. Maude: I am coming to exactly that point. An example would be the Experience Corps. A volunteering initiative was set up by the Government. It was aimed at retired people—a splendid objective—but it greatly underperformed in relation to its targets and was subsequently abandoned.

Tom Levitt: The right hon. Gentleman might not be aware that, in three weeks' time, I shall be hosting the annual event of the Experience Corps in the House. The organisation has certainly not been abandoned. When it was set up, it was intended to be a three-year programme, but it is now in its eighth year. It deals not only with retired people but with people over the age of 50. We have a problem with this year's event, in that it is significantly over-subscribed by hon. Members who are working with the Experience Corps to draw attention to the work of older volunteers in their constituencies. Perhaps the right hon. Gentleman would like to congratulate the Experience Corps, five years after Government support for it finished at the end of the programme, on still being a thriving and active organisation.

Mr. Maude: I hear what the hon. Gentleman says, but my understanding is that the Experience Corps has not met the targets that were set for it, and that the Government have had to come back and chop and change in a way that has been disadvantageous. I am delighted that lots of our colleagues across the House are going to attend the event; that is very good news. However, that organisation is an example of the kind of top-down approach that does not always work.

Another, more recent, example is v, another volunteering initiative with a splendid objective, aimed at young people. It is still establishing itself, and so far, its impact has inevitably been limited. I made a visit in my constituency that was set up by v in order to show me exactly what it did. I visited a voluntary organisation based in West Sussex, and I am afraid that I came away from it without any sense of what v was doing that added to an initiative that was already busy and successful. There were words rather than actions, and it was not clear that anything was going to be done in the future that was not already being done by that excellent organisation.

Tom Levitt: I am grateful to the right hon. Gentleman for giving way again. I will leave him alone in just a moment. I hope that, in November, he will take part in an event in the House: v will invite Members of Parliament to bring young volunteers from their constituencies, so that we can come together to celebrate the work of young volunteers. There are new initiatives in my constituency and elsewhere that are being helped along by v. I hope that the right hon. Gentleman will bring a young volunteer from his constituency, with whom he has been working over the next few months, to that celebration later in the year.

Mr. Maude: Of course I would be delighted to do so, but we all do this kind of thing all the time. I suspect that, every Friday in our constituencies, we are all visiting organisations in which young, middle-aged and old volunteers are doing fantastic work. We celebrate that all the time, and it is important that we should give our support in that way.

Alistair Burt (North-East Bedfordshire) (Con): The hon. Member for High Peak (Tom Levitt) and I were members of Baroness Neuberger's commission, and he will know that, when we had the opportunity to discuss those matters with volunteers, v was raised by a number of those who were working with young people's organisations. They said that they were not quite sure why v was there or what it was adding. Perhaps, in time, that will change, but that concern was raised during the commission's work. It might be helpful to my right hon. Friend to know that the concerns that he is expressing have also been raised by others close to the coal face.

Mr. Maude: I am grateful to my hon. Friend for that intervention. I should stress that, when I made that local visit, I went there almost wanting to be persuaded, really wanting to understand what was being done that had not previously been done, and why v was needed. I went with the most open mind in the world, but I could not see anything being done that would not otherwise have been done.

Mr. Iain Duncan Smith (Chingford and Woodford Green) (Con): The problem with these debates is that they often descend into a discussion on who celebrates the role of the voluntary sector the most. The truth is that all this is nonsense about celebrating the voluntary sector. I spend a lot of time with people who work in the sector—we are holding the awards for the Poverty Fighters Alliance in July, for example—and what they say, time and again, is, "Visits to the House of Commons and celebrations are okay, but just release

[Mr. Iain Duncan Smith]

us, give us the ability to find the money and let us get on with the job. We don't want to be celebrated; we want to celebrate the work that we do ourselves."

Mr. Maude: Speaking of recognition, the House should recognise the work that my right hon. Friend has done, particularly through the Centre for Social Justice, which has been absolutely superb. It has promoted good practice and focused attention on what can be done when inspiring, dedicated people commit themselves to solving social challenges. He has done the country an enormous service in focusing on those issues in recent years. I totally take on board the point that he has made about what the people who run these organisations want—namely, to be allowed to get on with the job that they have been inspired to do.

We have mentioned Baroness Neuberger's commission, on which my hon. Friend the Member for North-East Bedfordshire (Alistair Burt) and the hon. Member for High Peak (Tom Levitt) served. The commission noted

> "a very large amount of criticism of several aspects of the Government's initiatives to promote volunteering",

which focused on a

> "lack of joined-up thinking...poor communication…funding timescales...reporting and monitoring timescales...targets to the detriment of quality...quality and quantity of volunteering placements available".

It concluded that

> "the depressing thing is that messages about short-termism and a project based approach that fails to become mainstream—all of which we have heard repeatedly—are not new."

There are issues, and it is important that we seek to address them with an open spirit.

There is an urgent need to promote volunteering, as well as other non-state activity, in what we believe to be the rather ill-named third sector. There is growing consensus across the political spectrum that the limit to the size of the taxpayer-funded state has been reached or exceeded. We read remarks by the right hon. Member for Darlington (Mr. Milburn), the hon. Member for Birmingham, Edgbaston (Ms Stuart) and the right hon. Member for Rotherham (Mr. MacShane), and we see the Lib Dems' direction of travel; it is clear that there are no longer any serious advocates, outside the ranks of doctrinal statists, for the state as the answer to all social ills.

Of course, there remain pressing social challenges for today's Britain. We think of the linking of family breakdown with crime and addiction, which my right hon. Friend the Member for Chingford and Woodford Green (Mr. Duncan Smith) has done a huge amount to highlight. We already have the largest prison population in Europe, yet we can also see the appalling record of prisoners being reconvicted and imprisoned within two years of their release. We see 2.6 million people with disabilities on incapacity benefit, when so many could and would prefer to be in some sort of work. We see the pockets of acute poverty that still exist in too many parts of our country.

Addressing those challenges requires active intervention, because in most cases the key to success is breaking the cycle of deprivation. That means treating each person individually and working with them in a holistic way to solve their problems. The state is not good at that.

Mr. David Burrowes (Enfield, Southgate) (Con): I am particularly grateful to my right hon. Friend for making the point about the importance of volunteers to criminal justice and about the concern in the community that we have important role models, not least male and young adult role models, who can lead young people into better ways. The Scout Association is an example of a group providing fine grassroots work, but it needs young adults to come through as volunteers. We need to provide flexibility and support to grassroots organisations to provide the work that will lead young people away from crime.

Mr. Maude: My hon. Friend makes an important point very well. The Scouts are expanding, which is excellent, but they need the encouragement of new leaders and volunteers to come in and work with young people to provide exactly the sort of support that my hon. Friend mentioned, particularly male role models. Many boys and young men are growing up without a father in their lives and, in many cases, without any male teachers; the proportion of male teachers in primary schools is now down to 10 per cent. or so, and is 20 per cent. in secondary schools. There are lots of young men growing up without any male role models in their lives, which is a concern.

The state is not good at that holistic treatment of the challenged individual—the individual with significant problems which society has a vested interest in solving—but voluntary organisations, charities and social enterprises are good at that. That is why our approach to these challenges unashamedly places emphasis on the role of an active and enlarged civil society.

Ian Lucas: I am listening carefully to the right hon. Gentleman in what is an interesting debate. Does he agree that there is one very important role that the state must play, which is to provide a high level of sustained investment in the provision of services? Is not the reality that we have had a sustained level of high investment from the state in the voluntary sector over the past 11 years? Is he saying that his party would match that?

Mr. Maude: When the hon. Gentleman has time to read our paper, he will see that one of our concerns is in regard to the compact, one of whose central tenets has been that, where voluntary, third sector organisations provide public services, there should be full cost recovery. As we know, that is much more honoured in the breach than in the observance. We are saying that there should be at least the possibility when that happens for voluntary and other organisations to make a surplus in what they do. Part of the problem is that it is much too difficult for really outstanding organisations that have found innovative and successful ways to address a particular problem to replicate that in different places in the way that a private sector organisation naturally would be able to do.

The hon. Gentleman makes an important point about the need for sustainable investment in these organisations and we draw attention to the amount of statutory funding for voluntary organisations and charities. The proportion that comes from grants versus contracts has crossed over, so a smaller proportion is now coming from grants. That impinges on the independence of those organisations, which is their lifeblood, makes them distinctive and enables them to do their fantastic work.

Daniel Kawczynski (Shrewsbury and Atcham) (Con): On finance, in Shropshire many volunteers are senior citizens and people on very low incomes. They play a vital role as volunteers, but owing to a lack of support from the Government to Shropshire county council, the council is struggling to give those people enough money to pay for their mileage in covering very large distances in a rural county such as Shropshire.

Mr. Maude: My hon. Friend makes an important point.

Tom Levitt: The right hon. Gentleman makes a good point about full cost recovery. Clearly, both sides wish to see a relationship where services are delivered in common, where common aims exist and where there is a professional relationship between the third sector and the public sector, but one of the problems with full cost recovery has often been the inability of third sector organisations to judge properly the full cost element. They are building up that experience over time. Throughout his document, the right hon. Gentleman decries the professionalisation of the sector. It seems to me that we cannot keep the values of amateurism while being good in terms of administration and accountancy.

Mr. Maude: I am grateful for what the hon. Gentleman says and I am delighted that he has had the chance to look at our document, but he is wrong to say that we decry professionalisation. We talk about it and say that the lessons of growing professionalisation are unclear. If we are to see the sort of growth in the sector that we believe to be essential for the strength of our society, organisations need to be efficient and professionally run. We do not have the slightest problem with that.

Mr. Duncan Smith: There is a real nub to this debate and my right hon. Friend has touched on it now: whether or not the state sees the voluntary sector as an add-on to the work it does, or as a viable, separate entity that it will help and support in the areas where it works. When Beveridge designed what we call the welfare state, he wrote a third paper in response to the introduction of the welfare state by the then Labour Government. He warned that the voluntary sector would be subsumed into the welfare state, instead of being viable and separate in its own right. Think of the private sector: write off vast sums of money from small businesses in taxation and do not ask them to pay the money back when they fail. They get huge write-offs. When it comes to the voluntary sector, we say, "There is only a year's contract. Give us full cost recovery. If you can't do that, goodbye."

Mr. Maude: My right hon. Friend makes the point powerfully and he is absolutely right. That is what is meant by having an active civil society, which is thriving and vibrant. *[Interruption.]* The Minister is chuntering from a sedentary position about Victorian society. I notice that he made a rather intemperate, knee-jerk response to our paper yesterday, plainly without having read it. I am hearing a rather more moderate and thoughtful response from his Back-Bench colleagues. I do not want to be partisan. This is a good debate without particular doctrinal differences, but we need to explore differences of approach, which are important. If the approach is, as ours is, that to address many of these powerful social challenges requires the work of third sector organisations, voluntary organisations, charities and social enterprises, the question properly to be raised is, "Where will the additional capacity come from?"

Is it simply enough to hope that 100 flowers will suddenly and spontaneously bloom? The truth is that new flowers are coming into bloom all the time. This is generally about a person or group of people who see a problem and have an idea as to how to solve it, but too often these flowers wither and too rarely do they seed themselves and multiply.

We have been seeking to address those challenges in our paper published yesterday. We have set out a Conservative alternative that we believe can boost volunteering as a central pillar of the regrowth of civil society. We believe that it can contribute to a vibrant culture of giving and volunteering. Our proposals reflect wide-ranging discussions with charities, voluntary groups and social enterprises as well as the input from my right hon. Friend the Member for Chingford and Woodford Green's policy group and the party's social enterprise taskforce. I am sorry that the Minister's knee-jerk reaction to our paper yesterday was to trash it, rather as Sir Clive Booth, the Labour chairman of the Big Lottery Fund, attacked our proposals for the reform of the lottery before they had even been published. He then had to retract his remarks, which were profoundly inaccurate. We look to the Minister to do the same today when he stands up.

Our ideas are very much drawn from what leaders in the sector have argued, and the Government would do well to learn from that. Notably, the comments that people in the sector have made in response to our papers have been uniformly positive, in sharp contrast to what the Minister said yesterday and what he seems still to be planning to say today.

Mr. Jamie Reed (Copeland) (Lab): I am listening to the right hon. Gentleman's remarks with interest, and, to my regret, I read the paper last night. On the charities' response to the Conservative proposals, how does he respond to NCH's excoriating analysis of Conservative proposals in respect of single parents and jobless people, particularly those in the north-west of England?

Mr. Maude: I am not sure what point the hon. Gentleman has made, but it is certainly not relevant to this debate, nor does it come out of anything in the paper that we published yesterday. If he wants to raise those questions later in the debate, I am sure that the House will listen with great respect to what he has to say.

Our ideas draw heavily on what the sector itself has argued, and we make a number of proposals. They can be found in the document, and I do not need to go through them all today, given that I have taken up much more time than I intended and that I am aware that many hon. Members want to participate in the debate. I shall, however, mention one or two of them.

[Mr. Maude]

As my hon. Friend the Member for North-West Norfolk (Mr. Bellingham) has mentioned, one is our support for the long overdue moves being made to improve the Criminal Records Bureau checks system. Such moves have been recommended. We know that confidence and morale can be destroyed by bureaucratic hurdles and burdens. It is important to understand that Britain—society—will lose volunteers who are fired up and enthused, and who want to get on with things, if they find themselves parked for weeks while the bureaucracy creaks its way through the checks, because, all too often, the moment will have passed, the spark may have died and the enthusiasm may have waned.

Jeremy Wright (Rugby and Kenilworth) (Con): This follows up the point that my hon. Friend the Member for North-West Norfolk made. There clearly must be a case for simplifying and speeding up the CRB process. Does my right hon. Friend agree that, given cases such as that of a constituent of mine who underwent all kinds of checks to enable him to be employed at a young offenders institution, only to be told that he would need another CRB check when he approached the Scouts to offer to help on a Thursday night, we should, at the very least, ensure that one check will suffice for all similar activity?

Mr. Maude: My hon. Friend is right. It is painful, it kills the spark and it takes the edge off things when people who are fired up and want to get on with volunteering are suddenly told, "You can't do anything for five weeks because we have to go through this whole process."

We will also act to clear up any remaining confusion surrounding the rules on volunteering and benefit claimants, so that misunderstandings on that front do not dissuade potential volunteers. We also want to exclude any notion of compulsory volunteering, which is, of course, a contradiction in terms. There is a sense that the Government, frustrated by the failure of their volunteering campaigns to deliver the growth for which they hoped, are displaying a bit of a tendency towards making volunteering compulsory in some circumstances. There is a hint of that in the Education and Skills Bill, which proposes volunteering as an enforced alternative to work or education—even v, the Government's own youth volunteering organisation, is aghast at that. We are also concerned at the apparent Home Office plan to force volunteering on new immigrants as part of its probationary citizenship scheme.

We will encourage and promote a new environment conducive to volunteering. We believe that there needs to be more of a culture change to create a social norm that volunteering is what people do—so many people already do it. Indeed, the Commission on the Future of Volunteering referred to

> "a culture change in society so that helping others and benefiting from a culture of mutual dependence becomes a way of life".

We would say that that is social responsibility in action. All the evidence tells us that volunteering is infectious: people who volunteer in one capacity in their community generally end up helping lots of other community groups as well. A study for the Scout Association found that young people who are members of a youth or sports club are twice as likely to have helped out in their community as those who are not.

Meanwhile, many pioneering companies—this deals with the point raised by the hon. Member for Wrexham (Ian Lucas)—from John Lewis to KPMG, have begun to establish volunteering as a social norm of working life. They give their employees an entitlement to volunteer, and a small number of hours that they can use during the year to add to their own time spent volunteering. KPMG, for example, allows each employee 3.5 hours of firm time per month to volunteer, and last year, KPMG people contributed more than 38,000 hours to the community. The company recognised that their volunteering commitment is a major factor in giving it a competitive edge in retaining vital staff and recruiting the top people of tomorrow. Therefore, that is an important point.

As we know, social norms cannot be legislated for, but the Government can lead by example. I would like to refer to a final proposal today. The Conservatives would make a start by allowing every central Government employee eight hours' volunteering during employed time a year. That is perhaps not a huge amount, but when one adds up all the hours, one finds that it amounts to a big contribution. I applaud the Government for being very ready to pick up our ideas in recent months, so there is one that we have prepared. What a great contribution to national volunteering week it would be if the Minister were to announce in his speech that that is yet another Conservative idea that the Government intend to implement. I commend the motion to the House.

1.26 pm

The Parliamentary Secretary to the Cabinet Office (Phil Hope): I very much welcome this debate. The right hon. Member for Horsham (Mr. Maude) evinced from me a combination of laughter, when he made claim to a raft of proposals that the Government are already putting into practice, and despair—at the proposals that the Conservatives are bringing forward. Although I did not agree with everything in his speech—I shall pick up on some of those areas in a moment—we are voting on a motion to support volunteering, and on that I very much agree.

My right hon. Friends and I welcome the interest shown in volunteering by the Conservative party, although some interventions from my hon. Friend the Member for High Peak (Tom Levitt) on examples associated with older people's volunteering and youth volunteering would suggest that there remains a need for the right hon. Member for Horsham, and the Opposition, to play catch-up on the marvellous things going on around the country, which are supported by both central and local government in many ways.

Like me, hon. Members across the House will want to praise the work of volunteers around the country, particularly given that this is national volunteering week. We can all welcome, too, the healthy state of charities in general. The motion rightly points out that this debate takes place

> "as the voluntary sector expands its paid workforce and takes on the delivery of public services".

The Conservative paper published yesterday says that "we are doing well" on volunteering, that we are

> "second out of 36 countries"

on one measure and that Britain is "leading most of Europe" on charitable giving. That is absolutely right. Indeed, I think that the right hon. Gentleman said that a fantastic amount is being done, and it is great to know that the Opposition are celebrating the success of this Labour Government in supporting and promoting volunteering and the third sector.

Mr. Maude: The Minister makes a slightly glib point, but it illustrates an unhelpful premise in his mind: that what ordinary people are doing up and down the country in giving their time is somehow something for which the Government should take credit. People do this despite the Government, not because of them, and they have been doing it for much longer than new Labour has been in existence.

Phil Hope: The right hon. Gentleman did say that he did not want to be churlish in this debate, but he has just demonstrated how he has given up on that ambition.

As the right hon. Gentleman rightly says, despite the pressures of work and family, and the rush of modern life, millions of Britons—the previous survey suggested a figure of 20 million—give up their time to help others. It is right that, across the House, we say that British society is not an "elbows culture". The headlines about problems in neighbourhoods do not tell the whole story, because people in Britain do care about their neighbours and, both formally and informally, through voluntary organisations and in other ways, they contribute their time and their money to make our society a better place to live.

Ian Lucas: Does my hon. Friend agree that people who do charitable work need the tools to do it? One of the most important tools that the Government provide is investment. There has been a substantial increase in the charitable sector thanks to sustained Government investment. The sooner the Conservatives accept that and recognise that it is part of the reason for the success of the charitable sector, the better.

Phil Hope: My hon. Friend is right. It is because the Government have acted in partnership with the third sector and listened to their concerns. We have responded, through direct investment and by creating an environment in which the third sector—charities, voluntary organisations, small local community groups and social enterprises, the whole panoply—can thrive, be dynamic and make progress in the future. I shall say more about the nature of the investment that the Government have put in and the outcomes that it has had in a moment.

It is through volunteering that neighbourhoods are drawn together. Knowledge is the best, surest weapon against prejudice, and shared activities that bring together the old and the young, people of different ethnic backgrounds and people with different levels of education, are among the surest ways to dispel assumptions and reduce tensions in our communities.

Mr. Burrowes: Can the Minister be specific about how much of the £75 million investment in v has had an impact on actual volunteering in projects involving young people?

Phil Hope: I will address that point directly later in my speech.

Volunteering is not only about building stronger communities and neighbourhoods. Volunteering can transform the prospects of volunteers themselves. We have all met volunteers who learn as much as they teach, or are helped as much as they helped, whether the volunteer is someone moving from a long period of unemployment—former users of services can become volunteers and, in some cases, paid staff members—or a high-flying professional who volunteers and sees a different side of life. Many people from the City are now moving into third sector organisations and transferring their skills, and they gain hugely rewarding experiences in becoming leaders and chief executives in the third sector.

Tom Levitt: My hon. Friend will have noticed the recognition of the value of training in the voluntary sector on page 30 of the Conservative document. It states:

> "It's essential that such a system is of practical value to volunteers and is fully owned and controlled by the voluntary sector."

Does he agree that what is really important is that skills acquired by volunteers should be transferable and part of an overall training gateway or network that is not confined to the sector, but allows people to progress and take their skills with them because they are recognised by industry and others?

Phil Hope: My hon. Friend's experience and knowledge in these matters, and his contribution to the charity world, the third sector and volunteering, are unsurpassed in this House. He speaks with great authority and knowledge about how developing the skills of those who work for and volunteer with the third sector—and the public and private sectors—has enormous benefits, both individually and to the nation, because those skills can be transferred. Such training can improve the ability of the third sector to deliver the aim of creating better outcomes for users, but it can also enable individuals to make a wider contribution to community life. He is right to highlight that benefit of volunteering.

Our thriving culture of volunteering cannot be taken for granted, and we must take some important steps to secure it for the future. I wish to use this opportunity to say that we must encourage volunteering by making volunteering easier, by actively supporting volunteers and by using the leadership of the public sector. Volunteering does not happen in a vacuum. It is informed by other debates, and I will go on to say what we can learn from the silence on those debates from the Conservative party.

We have been listening to the sector and working with it to make volunteering easier. We have heard concerns about criminal records checks and we consulted with the sector and across Government. In March, we promised that we would look at how to make the checks easier. Today, I am delighted to say, we

[Phil Hope]

published guidance that makes it clear that CRB checks are not always necessary. When volunteers do need a criminal records check—as is often right, when they will be working with children or other vulnerable groups—those checks are free. Volunteers are not charged for CRB checks, and last year that saved organisations involving volunteers more than £26 million.

Jeremy Wright: I raised this point with my right hon. Friend the Member for Horsham (Mr. Maude). I understand the Minister's point and it is generally accepted that CRB checks are necessary for those who work with children, but surely it is not necessary to require multiple checks for the same individual when they wish to work in the same general field. Can the Minister reassure us that part of his changes will include a considerable streamlining of that process?

Phil Hope: I can give the hon. Gentleman that assurance. Section 5 of the guidance document, entitled "The portability of CRB checks", sets out in detail when it might be necessary to carry out a new CRB check. There is a simple template and an eight-point checklist that organisations can use to address that issue, so that they and volunteers will know where they stand.

We have removed one barrier with the requirement for multiple CRB checks, but the sector also told us about the problem of volunteers being left out of pocket. So in March we introduced the Employment Bill in the other place—it will shortly be considered in this House—to change the law to allow voluntary workers to claim expenses such as travel and child care without triggering the national minimum wage legislation. That is a major step forward.

In 2006, we also took action to change benefit rules to lift any barriers to volunteering by people receiving benefits. We ensured that they could be reimbursed any reasonable expenses when they volunteer, and that move was greatly welcomed by the sector. The chief executive of Volunteering England, Justin Davis Smith, said that

> "this is great news as it lifts a barrier to the two million volunteers on benefits who were affected by the guidance".

Alistair Burt: During the commission's work, we picked up on continuing misunderstanding about the position of volunteers on benefits, so can the Minister reassure the House on the question of how the changes are being monitored? The feeling was that they are not being universally applied in the way that the Government would want, and that misunderstanding creates a barrier in places where the rules are not as effective as they could be.

Phil Hope: The hon. Gentleman is right. It is one thing to change the rules to ensure that individuals on benefits can continue to volunteer and claim expenses, but the guidance needs to get out to every single jobcentre and organisation that uses volunteers, who also need to know the rules themselves. We do need a good communications campaign. Part of my job as champion for the third sector in Government is to ensure that when that does not happen I talk to ministerial colleagues, Departments and others to ensure that they understand and implement the new Government policy.

We welcome the report by Baroness Morgan, which was mentioned by the right hon. Member for Horsham, on volunteering by people on benefits. It includes further ideas and suggestions. We will consider them and see what more we can do to ensure that we ease volunteering into the role of a route into work for workless people. Many of us can think of projects and examples where that has been the case.

When it comes to expenses, benefits and CRB checks, volunteering is getting easier, but if one listens to the right hon. Members for Horsham and for Chingford and Woodford Green (Mr. Duncan Smith) one would sometimes think that the only thing the state should do is get out of the way. Those are almost the same words as were used earlier. I do not agree.

That takes me to my second point. We need actively to support volunteers and the small voluntary organisations that bring them together. Let me say how. Often, volunteers work for very small community organisations—we all have examples in our constituencies—often with no paid member of staff and little or no access to funds. For those very small volunteer-led community projects, a small amount of money can make a huge difference. That is why we now have a new programme, announced in last year's Budget, to provide small grants to the smallest community organisations. The grassroots grants scheme will give grants of between £250 and £5,000 over the next three years to small volunteer-led organisations based in the heart of our communities. In July, we will announce the local partners who will give out the money, and I hope to see the first grants go out to those community groups in the autumn.

Embedded in the programme is an endowment component. Part of the money for the grassroots grants will create new endowments in every area of the country. That is a fundamentally new approach that has not been taken before by any Government and will create a sustainable source of small grant funding in every area of the country. The endowment funds will never be spent, but the interest generated by them will provide a supply of small grants to small community groups in every part of the country. That is an extraordinary new and ambitious way forward, and I hope that it has the support of the House.

Volunteers are often deeply rooted in their community. That is what makes them so effective. They do not always hear about the best ways to recruit other volunteers and to ensure they are used effectively. That is why in November 2007, as part of an overall £11 billion a year investment in education, employment and training, the Government opened up the flagship Train to Gain skills programme not only to paid staff of voluntary organisations but to volunteers. I want to use the debate to encourage all third sector organisations to access the Train to Gain funding pool to help to upskill their staff and volunteers.

Last March, we announced £4 million to train volunteers and those who manage them. That is why our GoldStar programme, which started in 2005, is working nationally and locally to spread good practice in volunteer management, going out to local and voluntary sector groups and providing them with training and support. I want to pay tribute to Baroness Neuberger for her work with the independent Commission on the

Future of Volunteering—members of the commission have already spoken in the debate—which has drawn attention to these issues. She is a tireless champion for volunteering and is viewed with huge respect—some would say fear—across this House and in the wider volunteering community.

Not only small grants and training but active support can be needed when people want to volunteer but need an extra bit of help to do so. If someone is disabled, has no formal qualifications or faces other barriers, they can be left trapped and isolated without a helping hand. That is why Government programmes such as Volunteering for All are so important. They help to dispel the myth that volunteering is "Not for people like me", spreading the message that volunteering is truly for all and that it should become part of the DNA of our society.

Our most significant investment is in the future of volunteering. Strong habits—such as volunteering, taking responsibility and taking part in the community—are best started early, so over three years the Government are investing £117 million in the independent charity v. The remarks made earlier by the right hon. Member for Horsham, which were critical, were unwise and, as he must know, inaccurate. So far, v has created more than 210,000 volunteering opportunities and it plans to deliver more than 500,000 more in the coming years—I hope that answers the question asked by the hon. Member for Enfield, Southgate (Mr. Burrowes). That is a way in which we can encourage hundreds of thousands of young people to engage in a variety of youth-led projects and initiatives across the country, to get involved in their communities and to make a difference. Once they have that habit, I think that they will keep it for the rest of their lives.

It is important that we reward and recognise the contribution made by volunteers. The right hon. Member for Chingford and Woodford Green was wrong to say that we should not recognise and celebrate the work of volunteers, although I do not think that he quite meant it in that way. I was at Buckingham palace only a few days ago to watch the volunteers and groups of volunteers receive the Queen's award for voluntary service. Those awards were presented by the Queen, and other members of the royal family were present, and those who came to the awards were over the moon at the recognition of the value of the contribution made by those often unsung heroes. Although it is not the only thing that we should do, we should not underestimate the importance of giving such recognition to individuals who play a part in their communities.

Mr. Duncan Smith: I did not say that volunteers should not be rewarded. I said that debates in the House tend to be about who celebrates them more. The truth is that they do not need that much celebration from politicians. They need a lot of action to help free them up to get on with things on the ground. That was my point.

Phil Hope: Let us hope that we can agree on that one. We should be doing more; that was the next point I wanted to mention. Volunteers need freedom, with as little bureaucracy as possible, but they also need active support: small grants, training, and help for those who face barriers. They also need leadership from the public sector.

Mr. Paul Truswell (Pudsey) (Lab): Before the Minister leaves the point about on-the-ground assistance to small voluntary organisations, will he deal with this point? I am sure that he will accept and appreciate the huge contribution that community amateur sports clubs make to local communities by encouraging participation in healthy pastimes, particularly for young people, who are diverted from antisocial behaviour. Will he join those Members, some of whom are in the Chamber today, who are campaigning for tax relief on junior sports club contributions?

Phil Hope: I thank my hon. Friend for that question. I regret the fact that as a Member of the Government I am unable to speak on behalf of the Chancellor, but my hon. Friend has made a powerful point that I am sure will be heard in the Treasury as a proposal for encouraging more people to volunteer, not least in the world of sport. Volunteers in sport and the arts play a huge role through not only increased participation, but the wider benefits that that participation brings. Young people become engaged, gain greater skills and are diverted from antisocial behaviour into social behaviour. They learn to gain skills and self-confidence as a result. My hon. Friend is absolutely right to point out the wider benefits of volunteering in a range of ways.

Mr. Andy Reed (Loughborough) (Lab/Co-op): Will the Minister give way?

Phil Hope: Yes, I will. My hon. Friend has a track record of campaigning on behalf of the world of sport and volunteers in sport that is second to none.

Mr. Andy Reed: Follow that, as they say. I chair the national strategic partnership for volunteers in sport, which represents 3 million to 5 million sports volunteers across the country. Does the Minister recognise that most organisations that are set up to look after the voluntary sector do not necessary regard sport as part of the traditional voluntary sector, and vice versa? Most of us in sport tend to regard ourselves as helpers rather than volunteers, so some of the structures do not quite match. I know that some work is being done, but we need to look further at bringing that right down to the grass-roots level so that voluntary sector organisations are cognisant of that slight difference of approach to volunteering and what it means to individuals.

Phil Hope: My hon. Friend is absolutely right to say that we need to find better ways to connect those in the world of sport who are involved with not-for-profit organisations in sports clubs up and down the country that take part in and encourage participation in sport to be seen as part of the whole community of the third sector. We must ensure that our policies and programmes reflect that. In a debate only yesterday, the point was made to Stuart Etherington, the chief executive of the National Council for Voluntary Organisations, that organisations such as the NCVO could see how they could look at themselves as part of

[Phil Hope]

a large infrastructure body that we support and fund as a strategic partner to embrace a whole wealth of organisations in not only the world of sport but the world of art.

The Conservative party has been talking about leadership. The right hon. Member for Horsham concluded his speech by talking about volunteering by civil servants. Indeed, I think that he briefed the *Daily Mail* that

> "Tories accept that a day off a year is only a first step".

He talked about eight hours today. However, on that first step, he has fallen over. Every civil servant in every central Government Department already has the right to paid time off for volunteering. Those in the Cabinet Office have the right to three days a year and in some Departments, such as the Home Office, the right is to five days a year.

The right hon. Member for Horsham will have welcomed our moves to help not just central civil servants but all public sector workers, including doctors, nurses, police and teachers. Thanks to a new £13 million fund that we announced in March, they can now volunteer in some of the poorest countries in the world without losing their pension contributions. I am sure that he will welcome today's announcement by the Cabinet Secretary that we have established a cross-Government working group to promote volunteering in the central civil service. I am delighted that, rather than our adopting Conservative party policy, the Conservative party has caught up with something that has been Government policy for some time.

We have a great track record on volunteering, and we are working with volunteers and voluntary organisations to push back the frontiers of what they can do. However, volunteering does not exist in isolation. There are two debates that affect it deeply, but they have met only silence from the Conservative party. The first is on money. When questioned, the right hon. Member for Horsham felt unable to tell the House that total public funding for the third sector has more than doubled in real terms over the past decade from less than £5 billion in 1997 to more than £10 billion according to the latest figures. That record investment is a proud achievement of a Government who are working in partnership with the third sector to ensure that it continues to thrive and succeed.

There is more than that, however. This comes down to a philosophical divide: do volunteering and the ethic of volunteering get weaker or stronger when public services are well funded? Labour Members know the answer. Volunteers complement good funding. If one talks to them and hears what they are working to achieve, there is no doubt that they are helped, not harmed, by good public services. Indeed, the Conservative party's publication shows that countries with high public spending have lots of volunteering. The right hon. Gentleman mentioned Norway. Volunteers add most to gross domestic product in the Netherlands, Sweden and Norway, and the countries with the largest number of volunteers are Norway, the UK and Sweden.

If one listens to the Conservative party, one hears this:

> "Many things that are done by the government or the private sector could be done more effectively, or more cheaply, by the third sector."

Those are the words of not some off-message Back Bencher but the right hon. Member for West Dorset (Mr. Letwin), the Conservatives' policy chief, who is writing the party's manifesto. He let the cat out of the bag while speaking to the NCVO in February. The Conservatives do not believe in a strong society that supports services that enhance that society being paid for fairly through taxation, even though the international comparisons suggest that volunteering thrives in societies in which public services are strong and collectively paid for.

Mr. Jamie Reed: Does my hon. Friend share my concern and that of many commentators on this entire debate that we are talking about a fundamental difference of opinion on the role of the state in society? Does he believe that we are hearing from Conservative Members a proxy for compassionate conservatism, the like of which is espoused by George W. Bush? My hon. Friend does not have to take my word for it. The man who coined the phrase "compassionate conservatism", Michael Gerson, said in the *Washington Post* in March that what the Conservatives were doing was the "reincarnation of compassionate conservatism".

Phil Hope: There is a philosophical divide, not least when we think about the wider role of volunteers. When volunteers see for themselves that something needs to change, do they feel able to have their voices heard and to campaign for those changes, or do they worry that if they speak up against the way in which law works or public policy affects the people whom they help, they will find themselves on the wrong side of the law or cut out from decision making regarding the public services about which they care so much? Volunteers are not motivated by plugging the gaps where public services fail. They are motivated to change those services through speaking up for the people affected, campaigning to change the law, being involved in the design of services that could make all the difference, and working towards ensuring that new services are the right ones that are properly funded by all of us through taxation.

When we have clashed with the Conservatives here and in other places on campaigning, their discomfort has been palpable and their silence deafening. Although there is no mention of the issue in the report that they published yesterday, we remember when charities such as Oxfam were afraid to campaign because the Conservative Government were disapproving. I see volunteers acting as advocates for those whom the system has let down, and acting not only as individuals but as a group, to change the system altogether. One great example was the mass movement of volunteers who were mobilised through the Make Poverty History campaign.

Alistair Burt: The Minister talks about philosophy, but before he gets too carried away with the way in which volunteers see the Government, will he explain why there is so much criticism from the grass roots of volunteering about how the Government are handling volunteers, using them in the public services and pushing them towards targets? Will he explain why those people complain about how they are being controlled, and why volunteers feel that they are unable to contribute to their fullest because of the way in which the public sector drives them at the Government's command?

If everything is as good as the Minister says, why is there page after page of criticism? That criticism indicates that there is a philosophical difference. We want to give charities and volunteers more freedom to do what they do best, but there is a sense among those volunteers that the Government are using them to plug the gaps. I am not sure that they would appreciate the way in which the Minister is trying to set out a difference between his party and ours, because I do not think that they would agree with him.

Phil Hope: The hon. Gentleman cannot deny what his party has published about the future role of volunteers and the third sector. The publication makes it clear that the approach is not about setting volunteers and the third sector free, but about abandoning them to work in some of the areas of the country with the greatest challenges. That is the wrong way to go about things. The philosophical divide between us is on whether volunteers and voluntary organisations should be left to cope on their own—isolated and without support—or whether there should be a genuine partnership among ourselves, the third sector and volunteers to create new ways of responding to needs, not least those of the most needy individuals and families in our society with the most challenges.

Mr. Duncan Smith: There is a fundamental difference, and I welcome a debate on it. The Minister has just let the difference slip out. In all his extolling over the past five minutes of the virtues of the voluntary sector, he concentrated hugely on its ability to campaign for change in the public sector. At no point did he address the point of delivery and what people are doing to change radically what is happening on the ground by changing and saving lives. He did not talk about the small voluntary sector that works against the odds because local government and its officials are often inconsiderate of what it does and do not take a huge interest. Those involved fight to get funding from the sector because they cannot control it, or the organisations are subjected to tick boxes, targets and lists, and feel that they are taken over. The fundamental difference is that Conservatives say that these people need to be set free and to be given real opportunities and access to money, but not to be lectured to and directed by the Government, whereas Labour talks about direction and campaigning at the top.

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. Before the Minister replies, may I say that I have noticed that interventions are getting longer? Several hon. Members hope to participate in the debate before it concludes.

Phil Hope: The right hon. Member for Chingford and Woodford Green has listened to what I have said. He will know that I have just described how we have reduced bureaucracy and made volunteering easier by enabling people on benefits to volunteer, and how volunteers can claim expenses. I see volunteers every day of the week; one of the great privileges of being the Minister for the third sector is that I spend a lot of my time with volunteers, as well as users and staff of third-sector organisations, and see the remarkable work that they do on the ground, changing and transforming people's lives.

My point was that in the Conservative party's policies, there is an absence of any mention of the other roles that volunteers play, for instance as advocates for users, and in being the voice of the voiceless. They do that both collectively and individually; people even come along to our constituency surgeries to act as advocates on behalf of individuals who are in need, and who are struggling with the local council's systems. The absence of mention of that campaigning role tells me that the Opposition see it as the third sector's part to be silent and grateful. That simply will not do. That is not the case for the third sector in the 21st century.

Greg Clark (Tunbridge Wells) (Con): The Minister will be aware that one of the proposals in our document is to strengthen and enforce the compact. The compact enshrines the right of charities to campaign. Will he condemn the Department for International Development, which, when it gives grants, has attempted to impose the condition that charities do not campaign?

Phil Hope: First, the hon. Gentleman is wrong. Secondly, the compact was introduced in 1998 by the Labour Government—10 years ago. We have appointed a new commissioner, Sir Bert Massie, who is hugely respected in the sector. I congratulate Richard Corden, the new chief executive of the commission for the compact team, who will drive forward ways of strengthening the compact, so that it works across Government and in local government, too. A key part of the Government's contribution to strengthening the third sector's ability to deliver was the introduction and promotion of the compact. I am glad that we might have cross-party consensus on that, at least. The hon. Gentleman is just wrong.

Tom Levitt: We have heard that it is Conservative policy to free up voluntary organisations to do what they do better, but we see in the document that has been published that under a Conservative Government, cognisance would have to be taken of the reputation of the lottery when it came to giving lottery funding. Does my hon. Friend think that those two policies combined would help organisations that set out to help asylum seekers, refugees or people with HIV/AIDS? Does he think that their cause would be enhanced by those policies? I certainly do not.

Phil Hope: My hon. Friend, with his wealth of experience, again speaks knowledgeably about the possibly unintended—I suspect that they are intended—consequences of policies that the Conservative party would put in place, were it ever in a position to do so. Those policies would not be in the interests of some of the most disadvantaged, alienated, disfranchised groups in our communities.

Mention of the Government's track record in leading the way for improvements and support for volunteering and community action has been absent from this debate, and it was also absent from the Conservatives' report. However, looking at the report, I say that perhaps that silence is better. We have waited a long time for the Conservative party's ideas. The hon. Member for Tunbridge Wells (Greg Clark) started promising ideas on charitable giving for the new year in 2007; we have been waiting for them. The right hon. Member for West Dorset started promising a Green

[Phil Hope]

Paper in February, at a conference of the National Council for Voluntary Organisations, but after all that waiting, when we finally read it, we can see that it is a rush job with heavy use of cut and paste, not least from Government policy on the third sector.

Let us take idea No. 1, which is to reduce administration on gift aid. I will send the right hon. Member for Horsham a copy of the Budget so that he can read for himself how charities can now bundle together donations under £10, so that they do not have to list all the individual donors on the claim form—a major step forward in reducing bureaucracy. Charities with small claims will no longer be penalised for errors in record keeping. Charities with a good record of bookkeeping may soon be able to self-certify. All that comes about after our discussions with charities on how to make the system work, and individuals can already give oral declarations rather than fill in a form. He and his party make warm noises about getting rid of paper trails, but they have no ideas to contribute. The truth is that we are cutting out unnecessary paperwork. I challenge him now: would he abolish the need for a record of declarations—for an audit trail for more than £800 million of public money—or does he admit that he was creating false expectations by promising action when there is nothing that he can deliver?

Or let us take idea No. 3, which is about giving "Direct support for volunteering" through real volunteering groups, not Government-controlled bodies. Let me send the right hon. Gentleman copies of the reports by v, the independent youth-led charity that we have already mentioned, which works with hundreds of other grass-roots volunteering organisations to deliver volunteering opportunities. Those opportunities are directed not by Government, and not even by organisations, but by young people themselves. I can send him our press release of 31 January on the small grants programme, which, as I said earlier, will support voluntary organisations, not through a Government body but through local funders with grass-roots knowledge and experience of grant-making in their area.

The Conservatives' idea No. 5 is to introduce a volunteers' hours scheme for central Government employees. As I said, we are already doing that. Every central Government Department now gives at least one day, and in many cases they give up to five days. Idea No. 6 is to improve Criminal Records Bureau checks. We have just had a debate about the fact that we have published a document on improving CRB checks.

Greg Clark: When?

Phil Hope: We announced our intention to do so months ago, and today we announced the details because it is national volunteering week. The list goes on; ideas Nos. 13 and 15 are on multi-year funding and community assets, and there are ideas about the compact. More than half the Opposition's proposals are cut and pasted from Government reports.

In our last debate on the subject, called for by the Opposition, they seemed unbriefed about the fact that the central thing for which they were calling—a civil service Bill—was already being taken forward. They are making a habit of not knowing what Government policy is, making policy up, announcing it and pretending that it is theirs. They are in denial about the need for Government funding. They are uncomfortable with charities' disruptive, campaigning voices. They are unbriefed on the facts of Government policy. They can praise volunteers today, and we are happy to join them in doing so, but there is little doubt about which side of the House will support volunteers with action and which side is still playing catch-up.

2.6 pm

Susan Kramer (Richmond Park) (LD): I confess that I thought that this would be a worthy, celebratory but rather dull debate, but it is turning out to be anything but that. The Liberal Democrat party obviously supports the motion; it would be hard not to when many of the references in it are to well-known Liberals or Liberal Democrats. The motion uses a phrase from the Commission on the Future of Volunteering that we very much approve of; it calls for

"volunteering to become part of the DNA of our society".

It is part of the DNA of my party, both now and in the past.

At least we have all agreed today that the health of a society is largely to be judged by the commitment of its citizens to that society. That is incredibly well expressed through volunteering. For me, this is a relatively new area to focus on from a policy perspective, so I was pleased to have the opportunity earlier this year to attend a Volunteering England event with two hon. Members who are present today on different sides of the Chamber—the Minister and the hon. Member for West Dorset.

Greg Clark: Tunbridge Wells.

Susan Kramer: I got the constituency wrong again; I meant the hon. Member for Tunbridge Wells (Greg Clark). I am terrible at constituencies. I sincerely apologise. The event was in Newcastle. It was more interesting to listen to the questions from the floor than to the discussion between the participants, because the participants shared so much common ground.

The first concern expressed from the floor was the potential for substituting volunteers and volunteer activity for public services. The feeling was that that line should not be crossed. We heard from volunteers and volunteer groups that the focus must be on additionality, not on substituting what professionals and public services should deliver. That is an important message to underscore, because it seems that there is tension in the way in which the Government relate to the public sector and public services. Voluntary sector organisations are trying to cope with that tension, and are working out what role they should play. The issue of independence has been stressed throughout the debate.

It was reiterated that there is confusion about how volunteering expenses should be paid. On that occasion, the Minister explained that changes have been made to clarify the fact that payment of legitimate and reasonable expenses should not compromise access to benefits or put at risk the ability to enter into job-seeking activities. That had not communicated itself to people at large, so the point was made that that crucial fact should be communicated far better. Perhaps at some point the Minister will clarify the position. I am not sure that he recognises the need for expenses to be paid up front. It does not work if someone who has no resources, particularly a young person, has to pay and go through a reimbursement cycle. The problem needs to be taken on more directly.

On Criminal Records Bureau checks, I can confirm that the Minister said on that occasion that changes in regulation were under way and would be announced shortly. We heard that repeated today. May I raise with him the issue of the Official Secrets Act? As other hon. Members will know, prison visitor volunteers struggle with requirements to sign the Official Secrets Act in the course of their activity. There are many small bureaucratic issues that interrupt the process of volunteering. CRB checks are only a small part of that.

The topic of full cost recovery was raised from the floor at the conference. I am not sure that I fully understand where the Government stand on that issue—whether that is a policy in process or whether it is being delivered.

Phil Hope: The Treasury has issued guidance on the importance of three-year funding and full cost recovery.

Susan Kramer: I thank the Minister for that. I hope he will follow it up. The Treasury's policy on payment should be monitored and observed by other parts of Government. The subject is still an issue of contention for the major charities and has yet to be addressed.

We have had two superb reports on volunteering—the "Manifesto for Change", chaired by Baroness Julia Neuberger, and the Morgan inquiry, published this week, which was chaired by Baroness Morgan of Huyton. The focus of both reports is on enabling people to volunteer and removing obstacles so that people can make a genuine choice whether to volunteer and how best to do so. I am glad to see from the Green Paper that they issued this week that the Tories have finally dropped the idea of compulsory volunteering, which always seemed to be a contradiction. *[Interruption.]* The hon. Member for Tunbridge Wells says from a sedentary position that that was the Government's idea, but the national citizen service proposal always seemed to contain the notion of compulsion, and I am glad that that has been dismissed.

Greg Clark: I am delighted that the hon. Lady has raised the matter, because it has always been clear that national citizenship service is a voluntary option for young people.

Susan Kramer: I thank the hon. Gentleman for that information. It has probably taken the Green Paper to provide clarity. When I have had discussions with the voluntary sector, I did not find that it shared that perception. They have seen national citizen service as a step towards a compulsory strategy. It is important that that does not happen. Community service of various kinds and volunteering should not be confused.

We have heard much about the benefits that come from volunteering, the way in which volunteers can build confidence and pride in their communities, and that volunteering across communities helps bring people together. I shall focus on the need to embed the culture of youth action and youth volunteering. That should become part of our education system, but there is a tension that needs to be recognised.

My children grew up in the United States. In order to graduate from high school, it is necessary in many schools there to perform what is called voluntary service, but it is not very voluntary. As it is regarded as part of the curriculum, most youngsters find some way to do it more in the breach than by actively engaging. When volunteering becomes embedded as a necessary part of the curriculum, there is always the risk that that will undermine the spirit of community and engagement that should be part of a healthy volunteering community. Opportunity within the education system makes an enormous amount of sense, but compulsion, whether it is back-door compulsion or front-door compulsion, is not a particularly attractive characteristic.

James Brokenshire (Hornchurch) (Con): Does the hon. Lady agree that, as the Morgan inquiry, in which I was lucky enough to take part, recognised, getting young people to recognise the benefits of volunteering for their CVs and training and employment opportunities is an important factor? Without in any way undermining her points about the need to promote volunteering in its purest sense, those benefits could be emphasised as a further dimension of volunteering.

Susan Kramer: I fully accept what the hon. Gentleman says, but I would caution him in this respect: we have many youngsters in our community, and I can think of many in mine, who have extensive responsibilities in their own families—for example, young carers. There is no formal recognition of the contribution that they are making. I would hate to see them lose out because that cannot be captured in the same way on a CV.

Let me give my son as an example. He chose as his route to go and play with puppies once a week—apparently socialising them. I honestly cannot say that that was of serious educational benefit or an addition to his skills, but he was able to craft it in such a way that it probably sounded quite good when the written CV was issued. I ask for an element of common sense in the way we deal with youth volunteering, although, as we know, common sense is hard to deliver.

I would like much more opportunity for family and intergenerational volunteering in my community. That might require some different thinking by organisations. I hope that part of our discussion of volunteering is addressed to the voluntary sector, encouraging it to think of ways of structuring opportunities so that they strengthen our communities generally. Sometimes the view seems to be, "Here's the task. Now let's find the volunteers." It becomes more interesting when organisations look at the volunteers and think of ways of structuring their activities to meet broader social needs.

In the world in which we live, with the stress arising from our work-life balance, when parents and grandparents find it difficult to spend the time that they wish with children, volunteering should be not an additional challenge but a mechanism to let people spend time together. I have been impressed with voluntary groups in my community that have seen the opportunity for young people—sometimes young people who, we sense, might be involved in antisocial behaviour—to be brought in to spend time with older people. The young people

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have taken the opportunity to flower, because for the first time they are met by people who have no preconceptions about them and who are delighted that they are coming in to spend time with them. Mutual respect begins to grow out of those circumstances.

Like many people, as I reach my current age I would like to dispel the image of the volunteer as the elderly lady in the charity shop, but let us not denigrate the elderly lady in the charity shop, who does an enormous amount of work in our community.

Many of the statistics on volunteering suggest that people often look at the different activities of ethnic groups. We need to tackle that before the perception develops that people from various ethnic groups do not participate. The statistics tend to show that people not born in the UK are less likely to volunteer. Perhaps that suggests a weakness in reaching out to those groups and giving them a sense of inclusion and welcome.

Like many hon. Members in their constituencies, in my own community I meet a number of asylum seekers, who do volunteer, but their activities tend to be restricted to organisations structured by the local church or mosque or some faith group. There is a hesitation on the part of charities and voluntary groups more broadly to engage those individuals. I hope that we can get better guidance to make it clear that that is a resource that we can turn to, because there are often incredible skills in the asylum community. We can argue about issues of immigration and asylum, but we have not used the skills of people willing and sometimes almost desperate to become engaged in some way, because the boredom of living day to day with no activity is utterly shattering and destroying.

I have been fascinated, too, by some of my local mental health charities and my local primary care trust, which has been working with people recovering from mental illnesses and helping them use volunteering as a way to regain their confidence and self-respect; contributing can help the individuals themselves.

There has been discussion of employer-supported volunteering. The Government are to be congratulated on making time available for civil servants to participate in voluntary activities and it would be excellent if the initiative were strengthened. However, should we not consider not only giving time but matching time? That might be much more palatable to the private sector, part of which still resists the notion of giving time for volunteering.

If people are willing to give a day of their own holiday, giving a matching employment day can become a much easier strategy. We have missed a trick in not looking at the potential of that. Obviously, the issue would be difficult for small businesses. Ironically, however—the statistics do not bear this out, perhaps because of a flaw in statistics—small businesses in my community value volunteering because they already see themselves closely engaged with the community. I do not find resistance from small businesses; the large business organisations, which feel that things have to be put on a more formal basis, struggle rather more.

We fully support the idea that volunteers should get recognition for the skills that they acquire. However, as we discussed earlier with reference to job hunting and CVs, there is an element of tension in making sure that the volunteer is carrying out tasks important to the activity, rather than getting a paper national vocational qualification or whatever else.

Mr. Andy Reed: On the formalities of volunteering, we have to recognise that lots of people do not see themselves as volunteers. We had that debate during the Morgan inquiry, even though the word "volunteering" was used from the start.

Most people help; they do not necessarily want to be dragged into a volunteering system that has recognition and all the rest of it, through to formal qualifications. Most people are seeking to help the local Scout group, church or community group, for example. Is there not a better way of doing things? Without going through formal recognition, we could allow people to help a little, rather than have them get into all the formal structures, which can be a burden. The hon. Lady is going in the right direction on that issue, but we need to look much more closely—particularly in my own area of sport—at letting people help the local sports club, for example, without having to get formal qualifications to be able to continue to do that in the long term.

Susan Kramer: The hon. Gentleman makes an important point. When we see something good, the risk is that we will try to find a way to structure it, put rules around it and formalise it; it then loses its spirit and spontaneity. At the same time, it is probably legitimate to encourage people to make sure that when they write a CV they stress not only their employment activities but their helping activities. We should get that into the culture and encourage employers and recruiters to recognise the value of it. Perhaps that could be done on a more conversational basis, without our trying to crystallise everything into an actual qualification.

A number of contentious issues have been raised. The issue of v is interesting. Unlike the official Opposition, I think that a lot of v's work has been valuable and it strikes me as a very positive organisation. However, I confess that I still struggle with its fundamental structure. It was conceived and set up by the Government and its board was put in place by the Government. Essentially, it is funded by the Government, although it can raise funds from other sources. It strikes me that v is rather a different animal from what I would consider to be a typical charitable organisation; we do not have a category for it. I recognise the good work that it has done, but we must be careful about the route that it has taken. There is always a risk of trying to co-opt, for entirely good purposes and intentions, the energies, activities and roles that we want to be carried out by an entity whose character and associations are not part of the Government. Recognising the importance of that requires an act of self-restraint by the Government.

Tom Levitt: One element of the voluntary sector that no one has raised today is its ability to innovate and experiment, and thereby knowingly to risk failure. We like our public sector organisations to innovate and experiment, but we do not expect them to risk failure; the voluntary sector, however, can do that. Perhaps v is getting a bit of that voluntary sector feeling about it, in that it can be risky, innovate and do things that would not be done by a straight and narrow traditional organisation. Perhaps it is gaining from voluntary sector values in that way. Might that be an explanation of its history to date?

Susan Kramer: I do not question the intent or the fact that it has done good work. However, I am cautious because of a much broader, more fundamental point about the health of a democratic society. We live in an environment where the tendency for many decades has been to pull power to the centre. That has always been done with good intent—"We know better"; the removal of London government might be one of the dramatic examples, but centralisation has continued under the Labour Government in a number of ways. A healthy, democratic society needs centres of power and influence that are outside the remit of central or local government.

Yesterday, the Conservatives issued a paper in which they propose to replace the Office of the Third Sector—I agree that the name is perfectly meaningless—with an office of civil society. By definition, civil society should not be fully co-opted into Government. When we go overseas, we see civil society as key, for example, to delivering aid in a way that will not be influenced by the local Government—frequently because we think them corrupt, biased or whatever else. We see civil society as incredibly necessary as a mechanism for challenge; we want it to be an authentic voice of the people. There is real risk if we try to grasp it, draw it in and co-opt it. I am concerned about that and about the approach that says, "Let's put civil society in the Cabinet."

Mr. Maude: To set the hon. Lady's mind at rest, I should say that we want the office to be for civil society, not of civil society. It is important that all the incredibly valuable activities that we all wish to flourish and prosper should get support from the Government; much of this debate has been about how that should happen. What we propose does not in any way try to co-opt civil society into the Government. In fact, the very reverse is true: we see the independence of the body as crucial to its future thriving.

Susan Kramer: I thank the right hon. Gentleman, but it would be a rare body that did not find itself instinctively—tiny step by tiny step—crossing the barrier between "for" and "of". That is one of the dangers, and I raise it because we have to be conscious and aware of it.

Bob Spink (Castle Point) (UKIP): Is the hon. Lady surprised by the inconsistency of the Conservatives' position? They call for Government support for civil society, but many Conservative councils, including Castle Point borough council and Essex county council, are cutting support, grants and provisions such as free room rents for many voluntary groups. They are putting those groups at risk. I am thinking, for instance, of the Phoenix club in my constituency.

Susan Kramer: I thank the hon. Gentleman. I have little knowledge of his situation, but perhaps Conservative Front Benchers will have an opportunity to answer those questions later. Many of us, however, suck in breath as we see what our colleagues do from time to time.

I should say that my party has pleasure in the Government's decision to create a grass-roots grant programme—particularly in the endowment element of it. In my own constituency there are groups such as—they have these terrible, old-fashioned Victorian names—the Barnes Workhouse Fund and the Hampton Fuel Allotment Charity. They have been crucial to the survival of our small charities at a time when the large charities—the premier league of 18 or so major recipients of Government funds through various contracts to deliver services—have managed to use the increased base to thrive and grow, while many of the smaller and middle-sized charities have struggled, and a few in my community have closed. From time to time, charities will close. Their purpose will disappear, or somebody else may start to deliver the service better. However, that is not the case with these groups, and I am glad that there is a nod in the direction of creating an endowment body that can continue to give life to this sector, which has been generally under-recognised.

The Minister made a point of the importance of Government providing investment in and support for charities. However, let us all recognise that the requirements for monitoring and accountability, the application process and the ongoing reporting process are often such that they are virtually impossible to satisfy unless one has a significant staff of people merely to push the paper. I am thinking of inappropriate demands such as a charity for the homeless being required to justify its geographical reach by providing the addresses of the people who attend it—an inept monitoring mechanism if ever we were to choose one. Small charities probably use volunteers to the maximum because they use them in so many broad roles and because they are so often spontaneously driven by the concerns of local people.

I am glad to participate in the debate on this issue, which should not be hugely contentious. I slightly regret the tone that developed at some points, because this is an area where all of us—finger-pointing or not—essentially have our hearts in the same place. I hope that we can make this debate in large part a celebration of national volunteering week and a recognition of the extraordinary work that so many people do.

2.32 pm

Tom Levitt (High Peak) (Lab): This country has started a process of change—the change from analogue to digital broadcasting. Over the next couple of years, the digital switchover process will take place in every community with every television transmitter. A large number of people in our communities—elderly, alone, frail or disabled—will be particularly challenged as regards getting to grips with that, and they will need help and advice. It will not be ongoing, but they will probably need it once or twice over the next couple of years—for example, in the Borders region at the moment, in the South West region over the next few months, and in my Granada region in 2009.

If we are to get that help to them, what is the most cost-effective way of getting people into hundreds of homes in every community, where they are most needed, to deal with and to help the most frail and vulnerable people? The answer is to work with the voluntary sector, and the Government are doing just

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that. They have set up an organisation called Digital Outreach, which is a consortium comprising a private sector enterprise called Collective Enterprises Ltd. and three major national voluntary organisations—Community Service Volunteers, Age Concern and Help the Aged—which have come together to provide a service that only the voluntary sector can provide.

I am absolutely delighted that the sponsoring company and Digital Outreach are based in my constituency. I was very proud on Monday when the Secretary of State for Culture, Media and Sport came to visit Digital Outreach and to meet representatives of the voluntary organisations on the ground, who, over the next couple of years, will work not only in my constituency but across the country with volunteers, voluntary organisations and statutory bodies. That is a unique collaboration: public sector responsibility, private sector organisation and third sector delivery coming together for a one-off cause—it will not be required again after a couple of years—to deliver something of great value to our communities. That is the epitome of partnership between the sectors these days, and it is only the latest of many examples of that to celebrate.

I welcome the motion tabled by the Conservative party, and the fact that there is not an amendment on the Order Paper simply for the sake of having one, so that we can, in volunteering week, coalesce around some values that are very important to us all. I welcome, too, the call from both Opposition parties for less bureaucracy and for encouragement and enjoyment of volunteering for its own sake, and, modestly, along with the hon. Member for North-East Bedfordshire (Alistair Burt), the support from across the House for the report by the Commission on the Future of Volunteering. The Minister's formal response to that report clearly shows that there is momentum for a healthy future for volunteering, if we can deliver together on our side of the bargain. We cannot guarantee outcomes for the sector, but we can make its life easier and give those in the third sector generally opportunities to succeed at what they have set out to do where they have chosen to match and to work with the statutory providers.

In slight contrast, I found it a little disingenuous that this debate comes alongside the publication of a major policy report by the Conservative party. As that 90-page document was issued less than 24 hours before the debate, only its authors will be completely au fait with it. Even I, with my commitment to the subject, only got to read two chapters, but they were quite interesting. There is no reference to the report in the motion, and I wonder whether the Conservatives were entirely pleased with its reception in the press. I noticed yesterday's whirlwind tour to Harlow and other places picking out different bits of the report. The *Medway Messenger* sums it up in one phrase with its headline, "Tory leader follows Gordon Brown to Gillingham." As they say, "You can't win 'em all." I only had a chance to look at chapter 2, on volunteering, and chapter 3, on grant funding, but I want to comment on some of the issues that I found there. On page 22, there is a dismissal of Government programmes as

> "a launch, a lunch and a logo."

When I asked the right hon. Member for Horsham (Mr. Maude) whether he could provide an example of that, he came up with the one that I expected—that of the Experience Corps, as featured in the document—and I demonstrated why he was completely wrong. That was a classic example of seedcorn funding that has led to a crop that is only now being harvested. Nevertheless, we have an organisation that was funded for three years and is still going strong after eight years, encouraging older people and celebrating their contribution to society.

Alistair Burt: Let me say to the hon. Gentleman as gently as I can that perhaps my right hon. Friend the Member for Horsham was taking information from those who contributed to the commission's work. I quote from page 90 of the report, where it says:

> "Many people were critical of the way in which the Experience Corps in particular had been established, referring to it as 'an expensive disaster'"—

a quote from an employee of a national voluntary sector network organisation. I think that my right hon. Friend could be excused for saying that the inauguration of the Experience Corps did not go quite as well as the Government might have wished. He had some evidence for that, and his comments were fair.

Tom Levitt: I am aware that those comments were made in years two and three of the Experience Corps' work. I know that they were made while the Experience Corps was under the auspices of the Home Office, and people clearly have long memories. I have not heard such things said about the Experience Corps in recent years when it has been an independent organisation. It may be that someone giving evidence has recalled it as such, but in my work with the Experience Corps, I have found it to be a thriving and excellent organisation.

When I asked the right hon. Member for Horsham about professionalisation, he said that he was not opposed to it. On page 24, however, the Conservative document is somewhat ambiguous. It points out that the Directory of Social Change says that

> "52 per cent. of voluntary sector staff in Britain believe that the drive towards professionalisation is killing the spirit of charitable activity."

However, it also says that there is a higher level of paid people in the voluntary sectors in countries where the voluntary sector is successful. I welcomed the right hon. Gentleman coming off the fence in his response and saying that professionalisation was necessary. It is not the be all and end all—of course, it must not be that—but a professional hub for the sector is necessary.

There are eight or 10 lines on page 30 of the document on the question of training and recognition dealing with support for sector-led investment and volunteer training and recognition. I reiterate that we must recognise that people have all sorts of different motives for volunteering. One of those motives—I suspect that this is increasingly the case—is to gain experience and qualifications that they can put on their CV and use in future work. If they are going to have that experience and gain those qualifications, it must be possible for it all to be accredited in a way that is acceptable to other sectors. I am not saying that every volunteer has to undergo training or be examined on what they have done—of course not—but if people wish to use their volunteering experience as a way of making themselves more employable, employable at a higher level, or to enable them to branch out into something new in their career, that is a perfectly valid reason for volunteering. They should be able to access accredited training, but definitely not training that is, in the words of the Conservative document,

> "fully owned and controlled by the voluntary sector".

That would mean that they had skills that could not be transferred, leading them to a dead end.

On page 37 of the document, reference is made to council funding. I was going to point out that the experience of Conservatives taking control of councils throughout the country during the past few years has been one of cuts to spending. Why? They always tell us that it is to reduce the council tax. What is the first bit that gets cut? It is the non-statutory funding, which means funding for the voluntary sector. I was going to go into that, but the hon. Member for Castle Point (Bob Spink) put it so succinctly that I will let his comments speak for themselves. We must bear it in mind that we are told in the document that ring-fencing of council funding will take place

> "so that councils can spend their funding as they see fit".

That will set off alarm bells among those in the voluntary sector because they know what Conservative councils do when they

> "spend their funding as they see fit".

That will all take place against a background of the Conservatives being committed to at least £10 billion of cuts in public spending, which will mean a lack of money for partnerships and joint enterprise, and cuts to the non-statutory elements of local authority work, which is essentially the work with this sector.

One thing I found amusing about the document, under the heading "Restoring the lottery" on page 41, was how it deals with a bête noire of the Conservative party. Ever since the Conservatives established the lottery in 1994, many of them seem to think that they have created a Frankenstein's monster that has gone out of control. They really do not like the Big Lottery Fund, do they? They are going to replace it with a voluntary action lottery fund. Their justification for that, however, does not make sense. The hon. Member for Tunbridge Wells (Greg Clark) has corrected me on this matter in the past, but at the last general election they were committed to 25 per cent. of lottery funding going to each of the four good causes, which would have led to a reduction in funding for voluntary sector causes. I understand that that is no longer the policy, and I accept that, but that is part of the heritage of the process.

What the Conservatives are proposing now is to reduce funding for the voluntary action lottery fund, compared with the Big Lottery Fund, by about 16 per cent. At the moment, 84 per cent. of all Big Lottery Fund money goes to voluntary sector organisations in one way or another—67 per cent. goes in directly, and another element goes to voluntary sector organisations through the arts and sports bodies and so on. The Conservative document proposes to top-slice that 16 per cent. and says that we will only have a voluntary action lottery fund that operates according to different rules, to which I shall return in a moment. The Conservatives forget that an undertaking has been given by the Big Lottery Fund, backed by the Government and in response to the arrangements on Olympic funding, that the real level of funding to voluntary sector organisations in 2009, when they feel the temporary impact of Olympic funding on the Big Lottery Fund, will remain at least at current levels. It is not possible to do that if the size of the Big Lottery Fund is cut by 16 per cent. to get a leaner, slimmer voluntary action lottery fund.

Susan Kramer: I did not raise the Big Lottery Fund because it seemed outside the remit of volunteering, but there is one concern. If the fund only funds the charitable sector and not the statutory organisation that would normally form a partnership with the voluntary sector, it is not possible to have a coherent project. I have raised that issue with the Minister—it cuts both ways—with regard to the impact of the Olympics.

Tom Levitt: The hon. Lady is absolutely right about that, which is why we have to accept that it is valid for the Big Lottery Fund to fund partnerships as well as directly funding voluntary organisations.

The voluntary action lottery fund would be guided by a slightly different set of principles than what has gone before. The Conservatives tell us that there will be more grants for local charities and community groups, but that everything done by that fund will have to take into account the reputation of the lottery. I do not know what that means. I suspect that it means, "Unpopular causes? Bye bye—you won't get funding from the Big Lottery Fund." In the "Breakdown Britain" document published by the Conservatives in 2006, they talked about consultation on where funding should go, and of having referendums on where it should go. If we were to do that, we would be discriminating against the less popular causes such as, as I said earlier, asylum seekers, those with HIV/AIDS, and refugees. Those groups would almost certainly miss out.

We come to the question of additionality. The document prays in aid the former Community Fund, which the document calls the communities fund, wishing that we could go back to its halcyon days. I think that the Conservatives forget who the biggest critic of the Community Fund was—for political correctness, doing the Government's bidding or non-additionality. The biggest critic of the Community Fund was the Conservative party, but now it prays it in aid. We should welcome the return of a sinner, I suppose.

The National Lottery Act 2006 put paid to the question of additionality and complementarity in lottery and state funding. We have always had a system of complementary funding rather than additional funding, but that distinction is now clearer. Since it was set up, the Big Lottery Fund has had much more discretion and independence and has been able to demonstrate more effectively that additionality is the order of the day, and not the subsidising state mechanisms, which was the accusation made in the past. I fear for lottery funding if the Conservative plans were to come into effect.

When looking at the ancestry of the Conservative document, I referred back to notes that I made about "Breakdown Britain" when that was published by the

[Tom Levitt]

Conservative party in December 2006. Its very name demeans what is good about our society, our people and the fabric of the communities that hold us together; it is a title of hopelessness and despair, when there is so much out there to celebrate.

"Breakdown Britain" was highly critical of larger charities—the Conservative party does not like the big boys in the voluntary sector. In that document, the Conservatives hinted that assets that they calculated were worth £35 billion, which were collectively held by the major charities, should be disbursed. That does not appear in their new document as far as I can see, but I should be grateful if, when he winds up the debate, the hon. Member for Tunbridge Wells confirmed that that is no longer his party's intention, or at least that that recommendation in "Breakdown Britain" has not been taken up, because that would be disastrous. Let me ask the House, how could a small, local organisation do what, for example, the Royal National Institute for Deaf People did when, working as a partner with the Department of Health, it delivered a £95 million programme to provide digital hearing aids through the NHS? That could not have been done by a small, local voluntary organisation; it had to rely on a larger body.

Across the House, we recognise that three quarters of all Britons have volunteered at least once in the past 12 months and that half of our population volunteers monthly. We cannot ignore the sector—it is huge, as is its capacity to influence the success of implementation of Government policy and even the outcome of a general election, to be frank.

That brings me to the question of campaigning. I was on the management board of the citizens advice bureau in my constituency in the early 1990s, when the CAB was threatened with loss of Government funding—it received grants directly from the then Department of Trade and Industry—if it continued to challenge Government policy on matters such as benefits. That was wrong. It was an abuse of power by the Government of the day. I am delighted to say that legislation was not needed to correct that—all we needed was a change of Government—but when the Prime Minister tells the country that the voluntary sector is the voice for the voiceless, we must listen. I am certain that my colleagues in the Department for Work and Pensions listen to bodies such as the citizens advice bureaux, because their feedback on how Government policy is or is not working is essential to our understanding of the effect that the Government are having on the people whom we have the privilege to govern.

The so-called third sector encompasses not only volunteers in the classical definition, but the increasingly important community sector. The Parliamentary Secretary, Cabinet Office knows of my interest in that. I applaud what my right hon. Friend the Secretary of State for Communities and Local Government is doing to recognise the way in which volunteers and activists within communities can and should prevent any tendency to a one-size-fits-all approach and make sure that local communities get the quality of services that they need.

We should also celebrate the success of the not-for-profit sector in general, including social enterprises and co-operatives, and in particular community interest companies. Established by the Charities Act 2006, community interest companies are run, often by volunteers, for purposes that are wholly consistent with those of the voluntary sector and are not directed by Government at all. Their work is very welcome.

The image of volunteering has been modernised as its depth and diversity have increased. It is much more organic than the brigade of charity shop volunteers, volunteer drivers and fete organisers who have been mentioned. It includes trade union activists, magistrates, special constables and all those people who came together to make poverty history in 2006. The sector also delivers a huge proportion of this country's residential care and funding for medical research and the lifeboat service, and it acts as a champion for children, disabled people and animals. Voluntary action can be passive—signing petitions or postcards, or sponsoring a fundraising event—or active. The services that volunteers provide can be stand-alone or complementary to services provided by the public sector; they can even be integrated within public sector provision. I challenge anyone to go for an out-patient appointment at a typical acute hospital and not encounter several volunteers providing key services as they always have done, whether by raising money for a new machine, making tea, selling flowers, or carrying X-rays from one department to another. Volunteers are everywhere, and any policy on the voluntary sector must recognise its huge diversity.

Where I want to praise the Conservative document published yesterday is on its unequivocal statement that voluntary action must be voluntary. I have written to my right hon. Friend the Secretary of State for Children, Schools and Families about that, and I believe that I have received an undertaking in response to the sector's worry that by integrating volunteering too far into the curriculum, its voluntary nature is lost, which can reduce the quality of the experience. Although it is difficult, by and large schools manage to encourage and practise active citizenship, which is not quite the same as volunteering, although it certainly includes volunteering. We must find ways to encourage, promote and give young people opportunities to experience active citizenship without treading on the sector's toes and making people volunteer.

My conclusions on what I want to see in future come in several sections and I suspect that they will find favour on all three Front Benches. In service provision, it should be easier for the voluntary sector to compete with the private and public sectors, either through contracts or through partnership. Means should be found better to ensure that full cost recovery is built into such contracts—at the moment, that cannot be guaranteed, in part because of the skills set available in the sector. The length of contracts should be extended—that has happened and is happening, but it should continue. Now, the lottery sometimes gives five-year grants for programmes, instead of the three-year, two-year or one-year grants that used to be the norm in local government. Local government now has three-year funding, so there is no reason why it should not fund local projects on a three-year basis, rather than the traditional one-year basis.

The next group of conclusions deals with the other funding of volunteering, outside service provision. Better communication is needed within the sector and between the sector and its partners to ensure more equitable and transparent access to grants and funding streams. It is essential that the sector has a healthy organisational core and a diverse funding base. I am excited by some of the work that has been done on endowments, and the organisation that I chair—the Community Development Foundation—is working with the Office of the Third Sector on that and other schemes. Endowment, combined with social ownership of assets within communities, is a way to ensure independence and sustainability of funding, especially for smaller organisations.

We need to find ways to promote both giving generally and payroll giving. A minute ago, I said that we should not force people to volunteer, but let us make it a bit easier for them to be payroll givers, especially in the light of the welcome announcement in the Budget that the effect of the reduction in income tax will not be felt on gift aid for three years. Nevertheless, it will be felt in three years and we need to find ways to mitigate that. If we have changed the basis of funding by that time and, through diversity of funding, are not so reliant on gift aid, so be it. If gift aid is so big that the difference will not cause much damage, so be it.

We must fulfil our responsibility to promote volunteering as an end in itself. It is a healthy thing for people to do. I find that the communities that do not work are those where the community and voluntary sectors do not exist. That is as true in developing countries as it is in parts of Britain. We need to do more work to encourage the voluntary sector in some of our developing country partners, where resources are often not recycled in the community in the way in which the voluntary sector can achieve.

I applaud the moves that the Parliamentary Secretary mentioned, of which I was not aware, on the five days' volunteering in some Departments. Let us keep on with that, encourage other employers to take—dare I say it?—an American approach to volunteering and make corporate commitments, which people in companies deliver in their own time.

There must be absolute clarity at the interface between benefits and volunteering, and improved user-friendliness of the Criminal Records Bureau system. I welcome the announcements that have been made and understand that there are more to come in the summer. Formal recognition of skills acquisition must also be available.

It is an exciting time for the sector. It is good to see the consensus that has largely been expressed today. However, I find it difficult to forget that someone, who shall remain nameless, once said that there was no such thing as society, and I do not intend the House to forget it. As Members of Parliament, we all know that we have thriving voluntary sectors in our constituencies and we ignore them at our peril. We engage with them because they are what citizenship is about and because that is what we should do.

3.2 pm

Mr. Andrew Turner (Isle of Wight) (Con): I am concerned about the organisation that distributes half of all lottery cash—the Big Lottery Fund. It expends a huge sum each year on administration and staffing costs, yet, when questioned about it, Sir Clive Booth, the head of the fund, launched an attack on the Conservative party, saying that it was hostile to the voluntary and community sectors. Sir Clive gravely misrepresented the Conservative party, but it would be uncharitable not to accept his apology. He conceded that he had made errors, based on an

"innocent misunderstanding of Conservative policy".

Perhaps it is therefore our responsibility to educate him about such matters. I suggest that he read our excellent report on social justice, which was launched yesterday. Above all, the incident is a clear reminder that people in Sir Clive's position must remain impartial, despite their political leanings.

To volunteer means to offer oneself or one's services by choice and without being forced. The Government do not force people to volunteer, but once they have volunteered they are often forced to do things that they would not choose to do. They have to tick endless boxes, for which they cannot understand the need.

On the Isle of Wight, we are very fortunate. We have a strong community spirit and many people become involved in voluntary work. I witness at first hand the astounding work that volunteers carry out. I know that, without volunteers, many islanders would be stuck. That is why I support my right hon. and hon. Friends' attempt to strip away the endless and often mindless bureaucracy that handicaps those who are simply trying to help others.

The Government seem to mistrust anything that they did not invent and seek to control and micro-manage it into submission. The voluntary sector has been corroded little by little, leaving well-meaning souls wondering what they have done wrong. The work that they carry out has been underrated and undermined, and their roll-up-your-sleeves-and-get-on-with-it mentality has been replaced with red-tape handcuffs.

If we want our communities to stay strong and our society to flourish, we must allow volunteers to get back to basics and get on with what they do best—volunteering, without the interference of Whitehall. From school governors drowning in paperwork to scoutmasters jumping through hoops for the Criminal Records Bureau, we need to let people who want to help others simply get on with it.

The YMCA on the island has just carried out research on young volunteers for the rural community council. It identified overbearing bureaucracy as one of the key factors that put young people off volunteering, as well as a lack of understanding of its value. I think that those two ideas are connected. If one gives one's time voluntarily, one wants to feel that one has made a real difference to somebody's life, not merely become involved in a paper-chasing exercise.

The research also demonstrated that smaller organisations succeed better in utilising volunteers by keeping paperwork and bureaucracy to a minimum. We need to encourage that. After all, if we do not succeed in attracting young people into volunteering, our society will never regain the idea that volunteering is valuable and useful.

It is right that charities and social enterprises should have the chance to receive public funds in return for helping to solve difficult social problems. However, the approach needs to be different and sensitive to their needs. They are not another branch of local government—they are different and they need to be treated differently.

[Mr. Andrew Turner]

We should recognise the need for longer-term contracts so that organisations can plan for the future with certainty. Local government and national Government get to know the work of charities and voluntary bodies over time. They should be able to trust them to make good use of public funds. There should be more grants and fewer contracts. If one trusts an organisation to do a good job, one does not need to specify in minute detail how it should be done.

When contracts are needed, they should be based on outcomes rather than processes. It should be recognised that those organisations are rather special. Model contracts should be available so that successful smaller charities can have the chance to put public money to good use. They are currently often excluded from the process because they do not have legal expertise and cannot afford to employ staff to ensure compliance.

Volunteering can take many forms. All hon. Members have taken part in and benefited from the voluntary ethos. Where would our political parties be without those who stuff envelopes, lend their gardens for social events, such as the annual True Blue party in Seaview, and trudge the streets in winter and summer? I do not believe that there should be more public funding of political parties. It could never replace such involvement and commitment.

I take the opportunity to thank those residents of the Isle of Wight who volunteer and support all our local political parties. Indeed, I pay tribute to all volunteers, most of whom have nothing to do with politics.

I do not suggest that the Government are not well intentioned. We all recognise the vital part that volunteers play in our society. The National Council for Voluntary Organisations estimates that the annual benefit to the UK economy of volunteering is £27.5 billion. That is irreplaceable. Volunteering is also an enriching experience for those who take part. As well as knowing that they are helping others, volunteers often benefit from learning new skills and finding a new circle of friends.

To be fair, the Government are facing up to some of the problems. For example, they are making moves to improve the system of Criminal Records Bureau checks. I applaud that, but they need to move faster.

In preparation for speaking in this debate, I contacted Michael Bulpitt, the chief executive of the rural community council on the Isle of Wight. I asked him what he thought the Government should do to encourage volunteering. His answer was succinct and characteristically forthright: "Both volunteers and the voluntary sector know what they want to do—just let us get on with it." I commend his advice to the Minister.

3.10 pm

Alistair Burt (North-East Bedfordshire) (Con): It is a pleasure to follow my hon. Friend the Member for Isle of Wight (Mr. Turner) and the hon. Member for High Peak (Tom Levitt). My hon. Friend spoke warmly of his constituents and his personal experience. The hon. Gentleman and I spent many hours on Baroness Neuberger's commission. I pay tribute to his extensive knowledge of the subject and his deep commitment to it.

This has been a good debate, and we have broadly stuck to the convention of recognising that the major parties share a great deal on volunteering, rather than gleefully falling on our differences and spending a lot of time exploiting them. This debate has been given spice by the publication yesterday of the excellent paper by my hon. Friend the Member for Tunbridge Wells (Greg Clark) on volunteering, which threw those on the Government Benches into something of a tizz. Now that the Conservative party speaks extensively on social issues, the Government think that tanks are being parked on their lawn. They therefore respond, forgetting that it was not their lawn in the first place—it is more like a common, which we have all occupied, but on which the Labour party occasionally squats and pretends to claim exclusive rights, which it has never had.

Consequently, a frisson of excitement is still felt among Labour Members when we take them on, drawing on the vast experience of Conservative Members and representatives, and people throughout the country who support the Conservative party who have always been involved in social issues and are pleased to see their party speaking out on them.

I shall come to the Minister's remarks shortly, because they have required me to alter somewhat those that I was going to make. I noticed that he fizzed like a decent bottle of Spanish cava when my hon. Friend the Member for Isle of Wight talked about the need for the Government to stand back and not get involved. That reminded me of a quotation from someone who gave evidence to the commission. We spend a lot of time saying what we think about volunteering, but the commission amassed a great deal of evidence in the past 12 to 18 months from people actively engaged in volunteering. Their comments deserve a hearing, in order that they are not missed. I have a lovely quotation here, on page 39 of the evidence, from an elected member of a public sector organisation:

> "Keep out of it—let the organisations get on with doing what they are doing. Don't put so much red tape on them and just let them do what they want to do. Any structuring and you will lose what volunteers you have. Why should I spend my free time taking a lot of stupid orders from a lot of bureaucrats, when I could be retired and sitting on a sun-drenched beach?"

I suspect that the sentiment that my hon. Friend expressed is not held solely by him or Conservative Members, and that it was not the impression that the commission formed, either.

I shall return to the evidence later. By taking on my hon. Friend and my right hon. Friend the Member for Horsham (Mr. Maude), the Minister sought to project an image of the Government's relationship with the voluntary sector with which he is entirely comfortable, but which is not shared by the sector. I do not minimise things that are going well or areas where the voluntary sector is working entirely comfortably, but the sector wants to take on the Government on a number of issues. I hate the phrase "a sense of complacency", but there were elements in the Minister's response to my hon. Friend that smacked a bit of, "I think we've got it right and I'm not listening to anything else."

Mr. Andy Reed: I am grateful to the hon. Gentleman—I shall call him my hon. Friend, as usual, after our discussions last night. I worked with the voluntary sector before I came to this place, as a project officer for a local authority, and I was also on the Morgan inquiry. Most of the remarks in the document that he quoted are almost exactly the same as the sort of comments that I heard 20 years ago about local authorities or the Government getting off people's backs. That is the nature of the voluntary sector. However, does he accept that it is also our responsibility, as the funders, to require a certain amount of accountability for those funds? If the voluntary sector wants us off its back, so that it can go its own way, that is fine—indeed, we should leave the sector alone as far as possible. However, we all have a responsibility, as parliamentarians and in local government, to require those projects to be accountable for the public funds that they use.

Alistair Burt: As the great Tony Hancock once said in "Hancock's Half Hour", "Do you know, that could've been me talking." Of course, the hon. Gentleman gets it absolutely right. A lot of the comments made by the voluntary sector about the Government could indeed have been said about any Government, because there is a necessary tension in the relationship. I want to bring out the fact that, because the Minister sought to emphasise the difference in approach between the Government and us, he missed the fact that some of the issues being raised by the voluntary sector are partly due to the approach taken by the Government. Therefore, they have a special responsibility to deal with the situation. However, the hon. Gentleman is of course correct to say that there are always tensions and accountabilities.

Tom Levitt: I can confirm that the hon. Gentleman and I spent an enjoyable 18 months on the commission. I hope that he, like me, will welcome not only the outcome of the commission but the Government's response, which was positive and supportive. To put the question that my hon. Friend the Member for Loughborough (Mr. Reed) asked slightly differently, if the Government want something done and make money available to do it, it is surely quite legitimate for a voluntary sector organisation to have to make adaptations in order to take advantage of that funding. However, I agree with the hon. Gentleman that mission creep should only ever come from the voluntary organisations, rather than being imposed on them.

Alistair Burt: In answer to the hon. Gentleman's first point, the Government's response to the commission was indeed good, but Julia spent so many hours with the Prime Minister that the dear man was probably browbeaten and could only respond generously to what she had said.

To respond to the hon. Gentleman's second point, yes, but it is all a question of degree. If the parameters are set and the voluntary sector is given the opportunity to take on a role that has been broadly set out by the Government, that is all well and good. However, we have picked up a concern that the requirements, rules and targets set out under a Government course of action for which money is available to the voluntary sector have gone a little too far. The Government should be warned about that, and I hope that my colleagues have picked that up as something that we would not do when we get the opportunity.

In the relatively brief time available to me—I know that both Front-Bench spokesmen will want to respond to what has been a good debate—let me say that, like most colleagues, I draw much of my experience of the voluntary sector from my constituency. It would be remiss of me not to pay tribute to those who work in our constituencies in a voluntary capacity.

Among those that I know best are the Sea Cadets in Biggleswade, a uniformed organisation of which I am the president that does remarkable work in the town and represents well the uniformed organisations that do so much good work throughout the country. Carers in Bedfordshire is a service set up by Yvonne Clark, a dedicated woman, to look after those who care not only in my constituency but throughout the country, and to provide a meeting point where best practice can be spread for such work. Headway is the organisation that looks after those with head injuries. Chris Batten does remarkable work with them. I was fortunate to run this year's London marathon on behalf of St. John's hospice in Moggerhanger and Sue Ryder Care. My wife has chaired Home-Start in Bedford for many years.

A variety of organisations are involved, and I suspect that I am not unique in my experience. Every Member of the House will know half a dozen organisations well, and even more tolerably well, because of personal connections, which we all attract. We know that they give us the sense of what voluntary organisations do in our constituencies, and how remarkably valuable they are.

Sport is greatly important to the hon. Member for Loughborough (Mr. Reed). The Bedfordshire football association does good work through football and my friends Phil Dean and Martin Humberstone do a great deal through Biggleswade swimming club. Sport does so much for so many people who are looking for guidance, and I echo the comments made by a number of others about the need for more adult volunteers to coach and to get involved. What youngsters need most is for grown-ups to be involved in what they are doing; that is what they are looking for.

I echo the comments made by my hon. Friend the Member for Isle of Wight, as we would all do, in thanking the volunteers who work for us on the street, supporting political parties. That is not the most popular form of voluntary activity. I regret the fact that MPs being the target for popular attacks reflects on those who give their time to work for political parties, making it harder to recruit them and making it difficult for them to feel valued for what they do. Those who put many pieces of paper through people's doors, as they have recently in Crewe and Nantwich and as I believe they will do shortly in other parts of the country, are to be immensely valued. We very much appreciate what they do.

I would like to spend a few minutes discussing the commission and thanking it for the work that it did, as well as those who contributed to it. We found volunteering to be in rude health throughout the country, and we found exactly what hon. Members have spoken of—tremendous commitment from individuals to what they are doing and no need for direction from any great authority. Those people are committed to what they are doing because of their wellspring of need to respond to their neighbours and build a better society.

People know that what they are doing is not just about them; it is about what they can give to others. In

[Alistair Burt]

volunteering, they have found an opportunity to train, give to others and ensure that a cohesive society, which is not the same thing as the state, is working effectively. We are all delighted that we found that, and I have no wish to go over the statistics that colleagues have already referred to.

Psychologically, volunteering is crucial for a society that is obsessed with work and the working culture, as well as the number of hours that people devote to them. It is essential that there is another outlet for our energy, and volunteering fulfils that remarkable need.

A number of barriers were mentioned by those we spoke to, which have nothing to do with the Government and are not their responsibility. Lifestyle is one. I represent a rural area and a rural community. There are fewer jobs in rural areas than there were. Think of the change in the nature of society over the last 50 or 100 years. People commute more and spend more time travelling. No longer do they finish work locally at 5 or 6 o'clock, have their tea and get ready to go out and contribute to local activities. They get home at half-past 7 or 8 o'clock. They are tired. After they have eaten, the evening is gone. We are all suffering from the problem that that causes, in that there are not enough people who are able to commit themselves to such activities.

The problem of sustainability was mentioned earlier. People cannot make a long-term commitment to do something day after day. I spoke to the leader of Bolton lads' club, who told me that the club, which has about 3,000 members, is successful because, "We operate whenever the schools don't. Every night of the week, every day during the holidays, we're there, because we can rely on a large number of people to give us time day after day." It is not like running a youth club once a week or once a fortnight, with attendance inevitably dropping off. There is that commitment from volunteers, which means so much.

I shall come to rules and regulations, red tape and health and safety in a moment. The onus placed on trustees is much greater than it used to be. It is harder for some people to accept the obligations, because they suddenly realise that they might end up more committed—financially and in other ways—than would have been the case some years ago. Being a trustee of a voluntary group is no longer the job it was. That issue ought to be looked at by Members on both sides of the House to see whether we can in some way relieve people of those responsibilities. That matter was referred to more than once in the evidence given to the commission.

May I say a word about Government responsibility? As I said, to some degree I have changed what I was going to say. I think that the Minister was too defensive, perhaps because he was stung by the document that we have produced. He deserves to listen a little to what those involved in voluntary activities think of what is happening out there. A section in the results of the public consultation is entitled "The relationship between Volunteering and Government". Some of it is positive. Page 88 deals with positive experiences. However, pages 89 to 113 set out a rather different story of problems that volunteers experience, which they put down to things that the Government might do something about. They include the planning process, continuity between initiatives, consultation and communication with volunteer-involving agencies, funding time scales, reporting and monitoring time scales, focus on targets, lack of resources to capitalise on initiatives, the nature of the volunteering placements available and the focus of some programmes.

Let me quote, if I may, people who spent their time and gave their commitment to contributing to the consultation process. They deserve to be heard. On the planning process, an employee of a national voluntary sector organisation said that

> "my organisation has participated in a number of government programmes. As a whole they tend to be poorly conceived, aimed at grabbing attention, and misunderstand volunteering and the voluntary sector".

A local branch of a national charity considered that there is

> "a confusion of initiatives from central government and local authorities…there is no overall plan or structure".

We have already discussed one or two individual initiatives. I quote an employee of a national voluntary sector network organisation:

> "There has been huge investment in new volunteering initiatives over the years from the Experience Corps to v which has taken little account of existing volunteering experience or of volunteering organisations or structures".

There is no criticism of that investment being made, but there is criticism of failure to recognise what was already there and, therefore, money committed. So often, for the Government it is all about how much money has been spent, not necessarily what has been done or achieved. The concern is that money and time are being spent that need not be.

The document also says:

> "A further area of criticism related to funding timescales. A complaint voiced frequently was that the time allowed to apply for funding from government volunteering programmes is sometimes too short".

It goes on to supply quotes from various people.

On the focus on targets, Minister, the document says:

> "Government funding programmes place too much emphasis on targets, ie number of volunteers placed. Respondents considered that stress on targets can prove detrimental to the quality of the volunteering experience. This appears to be a particular criticism of Millennium Volunteers: 'target driven with emphasis on quantity not quality'."

Another employee from a public sector organisation said:

> "As a result, 'organisations who are unlikely to provide a volunteering opportunity for the required length of time or potential volunteers that are unable to make the time commitment that would meet the terms of the definition will both miss out from the support of the Volunteer Centre…it feels as if government can move the goalposts but we can't'."

I shall refer to a final quote on volunteering policy, which will be of interest to the Minister because it is rather wide-ranging. An employee of a national voluntary organisation for older people said:

> "I have no sense that there exists a strategic volunteering policy within government, a roadmap if you will, that sees volunteers and volunteering as an evolving, interlinked creature, that recognises the impact interventions (such as funding) have, not just on the targeted group but also the potential negative impact it may have on non-targeted groups".

That is a selection of quotes; there are a lot. Of course, a lot has been done that is positive—we understand that—but the Minister, in his determination to have a go at a document produced by my colleagues, which he has barely had a chance to consider, was over-optimistic in his view of how the voluntary sector views the Government.

As the hon. Member for Loughborough rightly pointed out, much of this criticism could be directed at any Government. If we were in government we would have to take full note of the views of people who spend their lives in organisations, either as volunteers or as employees. I would be disappointed if we glossed over criticisms and did not accept them as being genuine.

My right hon. Friend the Member for Chingford and Woodford Green (Mr. Duncan Smith) observed that the philosophical difference between our parties related to the intention of volunteers. It seems to me that the Government focus on their importance in relation to the process of delivering services, while we concentrate on their importance in relation to the end product. What matters is the quality of services delivered to the people for whom we are concerned and for whom we have responsibility. Are those services effective? In broken-down families, is the necessary work being done to mend people and keep them together? Are old people helped by what we are trying to do? This is not about a process, but about outcomes. I think that too often the Government concentrate on the process—hence their self-admiration in the context of the amount of money given rather than what is actually delivered.

My colleagues' approach to the document published yesterday indicated our interest in using the freshness of voluntary groups—large and small, but in many instances community-based—to deliver what they do best without being excessively trammelled by Government targets, regulation and direction. Yes, there must be accountability, but we must not lose that freshness of approach. According to what we hear from voluntary groups, they feel that the Government have overdone it—for all sorts of reasons, but perhaps because they cannot quite let go in this sector as in others. That is the main difference between us. My hon. Friends have responded to that desire for freshness—the desire to allow people to do what they do best; the desire for the professionals to be professional in public services, and for the volunteers to deliver what they know so much about.

I believe that we can set those people free. If the Government do not listen to the criticisms coming from the sector, they will miss an opportunity to do something rather better in the couple of years remaining to them. We will make the very most of that opportunity on the basis of the information that the voluntary sector has already given us.

3.32 pm

Greg Clark (Tunbridge Wells) (Con): It is a pleasure to be able to mark national volunteering week with a debate on the subject. It is good that the Government did not table an amendment, thus enabling us to unite on a motion that draws attention to the contribution made by voluntary organisations, and specifically by volunteers, to our national life. My hon. Friend the Member for Isle of Wight (Mr. Turner) quoted the NCVO's figure of £27 billion. That is a colossal figure, but the real contribution lies in the transformation of the lives of the people whom we see in our constituencies.

The great attraction of today's debate is that although not many Members have had a chance to make speeches or intervene, we have been given so many examples that capture in a microcosm the widespread contributions made by volunteers. My hon. Friend the Member for North-West Norfolk (Mr. Bellingham) spoke of the great work done in prisons to get people back on to the right road and to prevent recidivism. My hon. Friend the Member for Bournemouth, East (Mr. Ellwood) told us of the signal contribution that the Royal National Lifeboat Institution, free of any requirement to do what it does, makes to our national life. My hon. Friend the Member for Enfield, Southgate (Mr. Burrowes) talked about the Scouts.

The hon. Member for Richmond Park (Susan Kramer) praised the work done by charity shops, but also referred to more quirkily named charities such as the Barnes Workhouse Fund. Its Victorian name may appear somewhat archaic, but I gather from the hon. Lady that it continues to do fantastic work. The hon. Member for High Peak (Tom Levitt) mentioned the RNID, a national charity. It was clear from what we heard that, from national level to a very small level, the sector makes a colossal difference. My hon. Friend the Member for North-East Bedfordshire (Alistair Burt) took the prize in listing the litany of organisations with which he is involved: the Sea Cadets, the Bedfordshire carers, Headway, the hospice movement, Sue Ryder Care and Home-Starts, with which his wife does such great work.

All that demonstrated the great variety of contributions that we have the opportunity to make through volunteering. One of the unsung contributions to our national life is made by volunteers in the public services. Aintree University Hospitals NHS Foundation Trust, for example, has pioneered the use of volunteers in the delivery of care and making life better for patients. The Kent and Sussex hospital in my constituency has just embarked on a pilot enabling volunteers to become "supper-time companions", giving their time to be sociable with patients who may have no one to talk to during the day and ensuring that they have company, which is good for their morale.

The debate has given us an opportunity to record our appreciation of the work of the voluntary sector, and in that context I found the tone of the Minister's opening speech slightly regrettable. We were careful to table a motion that was not partisan and reflected broad cross-party support, but he seems to have the knack of rendering divisive issues on which I think there ought to be a degree of consensus. I think he was wrong to ascribe to a Labour Government in particular the fact that the voluntary sector is flourishing; volunteers throughout the country may well resent the fact that their efforts, voluntarily given, have been described by a Minister as in some way down to the activities of the Government. Those people are there because they have the instinct to take voluntary action, and I do not think they will take kindly to having it usurped by the Minister, in words at least.

The Minister entertained us yesterday with his response to something that he had barely read. He said on the radio that our document represented a return to

[Greg Clark]

the Victorian age for charities, but that half what was in it had already been proposed by the Government. That strikes me as being in the long and admirable tradition begun by the former Deputy Prime Minister, who famously said that the green belt was a Labour achievement and that we must build on it. If the current Prime Minister is seeking a replacement for that much-missed figure, he may have found one in the Minister if he continues to make statements like that.

We have discussed the contribution that the sector currently makes, and my hon. Friend the Member for North-East Bedfordshire spoke of the rude health that it enjoys, but there is still a shortage of volunteers. According to a survey of people who manage volunteers, 59 per cent. said that they experienced difficulty in recruiting enough of them. The Morgan report—an excellent report—said that that was particularly true of young adults, which was confirmed by my hon. Friend the Member for Enfield, Southgate. The Scout Association, a fantastic organisation, has a waiting list of 40,000 children and young people for the Beavers, Cubs and Scouts, because there are not enough adult volunteers.

Mr. Andy Reed: May I return the hon. Gentleman to what was said by the hon. Member for North-East Bedfordshire (Alistair Burt)? I took part in the Morgan inquiry, and have been involved with the Scouts and Beavers as a helper. I used to help to run a Friday night Beaver session. Does the hon. Gentleman accept that many of the constraints that he has mentioned are social constraints relating to the work-life balance? Given that 65 per cent. of people now have an atypical working week, parents tend to do volunteer work for a shorter time before moving on with their children. A generation earlier, people such as my parents would volunteer for 20 years. The problems are social problems that we must work together to eradicate, not just through the voluntary sector but in the wider context of social mobility and the social contract that we have as a country.

Greg Clark: The hon. Gentleman is exactly right. The commission has helpfully suggested, and spread the notion, that employers should play their part. If work life is impinging more on what was previously leisure time that could have been devoted to volunteering, perhaps a bit more give and take is required, and people, especially young adults, should be allowed to take time off. That is one of the more welcome contributions, which we have sought to echo.

It is concerning that the number of young people who volunteer seems to be static. In an nfpSynergy study, between November 2006 and November 2007, the number of young people who said that they had not volunteered in the past three months had increased—it had done so only marginally, but it had not declined—from 79 per cent. to 80 per cent. It is important to get more people, especially young adults, involved in volunteering. That is particularly true in the volunteering deserts, as they have been described. The parts of the country that would benefit most from volunteering are those where the level of volunteering is half of that in less-deprived areas.

Committed volunteering is important. It will be fantastic if people try their hand at volunteering this week, in national volunteering week, but it is crucial to the running of Scout groups, and even more so for organisations such as the Bolton lads' club, which my hon. Friend the Member for North-East Bedfordshire mentioned, to get people to commit to volunteering regularly. I completely agree with the hon. Member for Loughborough (Mr. Reed) that that will require a change in the work-life balance to which people are subjected.

Certain issues hold back further possibilities in the sector. For example, we have heard a lot about over-regulation. I assume that the Government agree on that point, put in a reasonable way, as it is in the motion, which mentions the

> "bureaucratic barriers that lie between volunteers and volunteering."

I hope that that issue is not in contention across the House.

The Commission on the Future of Volunteering, on which the hon. Member for High Peak and my hon. Friend the Member for North-East Bedfordshire served with distinction, said time and again that it had heard stories of bureaucratic hurdles. The motivation for having those hurdles might have been good, but they have degenerated into caricatures of risk-aversion. We must act on that issue. CRB checks are a particular bugbear, so I am delighted to hear that the long-awaited reforms were published today, and I look forward to reading them.

The benefit system has been mentioned once or twice, but not too much. However, the Morgan inquiry, on which the hon. Member for Loughborough served, talked about the rigid package of bureaucracy that surrounds the unemployment benefit system and dissuades young adults from volunteering. It is important that we address that problem. The rules might have changed but the orders have not got out there. In a letter to the Prime Minister, the volunteer centre in Nuneaton said:

> "In the last 6 weeks, 3 of our volunteers have had their benefits stopped"

despite completing the necessary forms. The letter went on to say:

> "Recruiting volunteers has never been an easy task, however, with more and more volunteers experiencing difficulties with their benefits and the DW&P, that task is much harder."

We need to change the way in which we communicate people's entitlements.

On Government initiatives, the commission highlighted the views of many in the sector. For example, it picked up a lot of criticism about several aspects of the Government's initiatives to promote volunteering. I do not doubt that those initiatives had the best of purposes, and I shall not repeat the quotes that my hon. Friend the Member for North-East Bedfordshire gave from the groups that took the trouble to give evidence to the committee, but it is wrong for the Minister to dismiss that point so readily as having being dreamt up or motivated in a partisan way.

When it comes to solutions, we need to do exactly what the Neuberger commission recommended, which is ensure that volunteering

> "becomes part of the DNA of our society".

A culture change is needed, but it must be voluntary. We cannot compel people to volunteer. Members on both sides of the House made the point that it is important that the party in government should draw back from seeming to suggest that volunteering might be compulsory. We want to spread a social norm of volunteering, so that it happens in all sectors. There are some fantastic examples of companies that give time to their employees to volunteer, and they benefit substantially from that. We have heard that KPMG gives three and a half hours a month, and we have suggested that there should be a minimum commitment across government for eight hours a year. The Cabinet Office rightly makes a commitment to do that, but we need to make sure that, at the very least, everyone knows, across government, that they have the right to take eight hours a year to make a difference to their communities. It is empowering that they should know that.

We need to get rid of bureaucratic checks. CRB checks have been mentioned, and we will look at the matter with great interest. Benefit complexity has also been mentioned in that regard. It is also important to recognise training. The Morgan inquiry recommended that the skills that young adults can gain from volunteering should be recognised. In response to the comments of the hon. Member for High Peak, I point out that when we say that that should be owned by the sector, we do not mean to say that it should not relate to the world of employment—far from it. However, we do not think that it should be imposed on the sector by the Government. It should be driven by the sector and by the enthusiasm of those in it.

Tom Levitt: Does the hon. Gentleman therefore agree with the recommendation of the Commission on the Future of Volunteering regarding the importance of training?

Greg Clark: I do agree with that recommendation. We have made a suggestion in our report that we should work with the sector to see whether we can develop a system for recognising that training. Training is absolutely key.

The question of investing directly in the grass roots has come up, and v has also been mentioned. That organisation has a particular responsibility, because the £117 million of public funds that is going into it over three years is a lot of money. It needs to demonstrate that the value that it offers is proportionate to the amount of public support that it is receiving. The alternative would have been to put that money into existing organisations, such as the Scouts. The Scouts would benefit from having access to even a fraction of that amount, to enable them to employ more development officers in areas where there are not enough volunteers to lead Scout groups, and we need to be convinced that that would not be a more effective use of the money. We wish v well, but the evidence to date is far from conclusive. A lot of the evidence given to us and to the various commissions suggests at least that the jury is still out in regard to v. In particular, over the past year, the fact that there has been no material increase in youth volunteering, despite the considerable funding that has gone into the organisation in its first year, gives cause for concern.

Volunteers deserve the recognition that they are getting this week, and I am pleased that we have had the opportunity to express that recognition in Parliament. I believe that volunteers are both the beginning and the end for us in civil society. Volunteers were always the first to open schools and hospitals, and the first providers of relief to the poor. Today, they are still the first to spot patterns of deprivation developing, and problems that need to be resolved. They are still the first to take action on some of the sources of social breakdown. They have always been there first.

It is also important to reflect that volunteers are always there at the end. Often, it is volunteers who are there as a last resort when all else fails. They are the last resort for the vulnerable and marginalised people who slip through the net that the state erects to catch them. Outside this country, volunteers are the last gasp of civilisation when Governments have ignored and turned their back on their own people. No sector is more central to our national life, and it is important that we have recognised it today. We have made some suggestions in our Green Paper on how we can strengthen the support and help that the Government can give to the sector. I look forward to the Minister's response to the debate and thank him for his agreement to make this a cross-party motion today.

3.47 pm

Phil Hope: With the leave of the House, I would like to respond to the debate. We have had a good, robust discussion today about volunteering. Last week, I had the privilege of joining users, volunteers and staff at Newark Mind, and of preparing, cooking and eating lunch with them. I experienced at first hand the difference that such an organisation can make to people with mental health problems—the hon. Member for Richmond Park (Susan Kramer) mentioned such people in her speech—who are endeavouring to get back into society and to develop their self-esteem and self-confidence. Organisations such as Mind are doing terrific work to bring about a transformation in people's lives.

This afternoon, Members on both sides of the House have recognised the value of the contribution that volunteers, charities and third sector organisations are making to communities in their constituencies. I am worried, however, that we are seeing a new tactic being used in the House. The Conservatives published a controversial policy document on the third sector. They then tabled a motion on volunteering, about which there is genuine consensus. But they are expecting to use this consensual debate as a cover for a debate on their policy, because they know that we do not want to break the consensus on volunteering that clearly exists. Well, they are not going to get away with that. If they publish a policy document, their proposals are going to get robust scrutiny, not least from Labour Members and from me, as Minister for the third sector. I believe that their policy is, at worst, flawed and damaging to a thriving third sector, and that it would take us back to a Victorian era of silent and grateful charities.

Greg Clark: The Minister has said that he wants a robust debate. He has also said that our policy would take us back to Victorian times. Can he tell me which of the 20 main policies that we have put forward would result in a return to Victorian times?

Phil Hope: The complete absence of any acknowledgement of the campaigning role that volunteers individually and collectively play in changing society is

[Phil Hope]

exactly where the Opposition's policy is fundamentally flawed, because it does not embrace the full range of volunteering opportunities and the role that the third sector has played in bringing about massive changes over the last century and a half.

The hon. Member for Tunbridge Wells (Greg Clark) criticises me, as did the hon. Member for North-East Bedfordshire (Alistair Burt), for putting on record the success of the Labour Government, under whom volunteering and third sector organisations have genuinely flourished over the decade. The hon. Member for Tunbridge Wells even suggested that I should be appointed Deputy Prime Minister. That particular suggestion may have some merit.

Without wishing to be too tendentious, let me say that the number of registered charities has risen over the last decade from 120,000 to 160,000. The number of people volunteering formally or informally at least once a month has risen from 18.4 million in 2001 to 20.4 million in 2005. Research into charities estimates that turnover has increased from around £16 billion to more than £27 billion over the last decade. The work force has increased by around a fifth. I cannot agree with the hon. Members for Isle of Wight (Mr. Turner), for Tunbridge Wells or for North-East Bedfordshire that we do not have a strong and flourishing third sector, brought about by the policies to create the environment in which it can flourish.

Alistair Burt: Will the Minister give way?

Phil Hope: I shall address some of the hon. Gentleman's points in a second.

The hon. Member for Isle of Wight confused grants and contracts. The point about contracts is that they specify outcomes and services because they are part of a wider commissioning strategy in which third sector organisations are involved at every stage, identifying user needs, talking about user outcomes and designing services. Where the third sector wants to engage in bidding for contracts, it can deliver those services while holding all providers—third sector, public sector and private sector—to account for their performance. That is why those systems exist.

The hon. Member for Richmond Park asked about expenses. Volunteers can get expenses up front, and DWP guidance has stated that. I very much agree that young people in particular need their expenses up front, which is why v has an allowance scheme that has enabled expenses to be paid up front to young people on their full-time volunteering programmes.

The hon. Member for Castle Point (Bob Spink) intervened to ask whether local Conservative-controlled councils have read the Conservatives' policy, and if so whether they would stop cutting their grants to local voluntary organisations. That gives me the opportunity to remind the House about the new local government performance framework, which includes two indicators in a national set, one on volunteering and one on a thriving third sector. Two thirds of the 35 local area agreements will have at least one of those indicators as priority indicators to pursue. We wish to see voluntary organisations locally playing a strong and equal part in local city partnerships, deciding local priorities, delivering local services and holding local government to account.

The hon. Member for North-East Bedfordshire complained that we were not listening. In 2006, the Government undertook the largest ever single consultation, involving more organisations, voluntary groups, social enterprises, community groups and charities than on any other occasion in drawing up the third sector review, which spells out a 10-year strategy to ensure that we have stronger communities, better public services, flourishing social enterprises and a flourishing third sector.

On the hon. Gentleman's point about the commission, we have not only listened to it, but have responded directly. I have announced the CRB guidance today, and there is more money for training and more help for disabled volunteers. New benefits guidance is to be published as well. He is right to say that the Prime Minister spent a great deal of time with Baroness Julia Neuberger. One of the Prime Minister's first acts on being appointed was to appoint Baroness Neuberger as the Government's champion for volunteering. To say that we have not listened, do not know the issues or have not responded is so far from the truth as to be laughable. Baroness Neuberger has recently produced a groundbreaking report on the development of volunteering in health and social care services and is now working on the role that volunteers can play in criminal justice.

We have demonstrated not only that we are celebrating success, but that we continue to listen to representations from voluntary organisations, third sector organisations and even Opposition MPs who make some clear—

Alistair Burt *rose—*

Phil Hope: I have not got time to give way now, but I am sure that the hon. Gentleman will be able to write to me afterwards.

My hon. Friend the Member for High Peak (Tom Levitt) is one of the most knowledgeable, experienced and committed Members of the House in his support for the voluntary sector. We hugely welcome not only his contribution this afternoon, but the work he does tirelessly behind the scenes, in all-party groups and across the board, for which I sincerely thank him. He gave a forensic analysis of the Opposition's proposals, particularly in respect of how the Big Lottery Fund might be disadvantaging organisations that are doing a good job. He talked a lot about the role of organisations becoming the voice of the voiceless, but he rightly said that we have more to do on ensuring that contracts really do take into account the needs of third sector organisations and that we can do a lot better on employee volunteering.

Whenever I visit voluntary organisations and volunteers, it is a privilege to meet those often unsung heroes, who, day in, day out, provide vital services to the community, not least to those who experience most disadvantage. I agree with the Opposition Members who say that volunteers are at the heart of our communities, because, as they rightly say, volunteers are the glue that binds us together and they have a huge impact on people's lives. I am delighted that Justin Davis Smith, the chief executive of Volunteering England, who continues to press us to do more, has said that volunteering has never had it so good. I think that he is right.

The report that the Conservatives published yesterday is a missed opportunity. It looks good, but frankly it has little substance. It is slick salesmanship and a good performance, but it is little more than a literature review that plagiarises a great deal of Government policy that has put us on track. A point was made about the report's recommendations with which I disagree, so I should say that the absence of any remarks about campaigning would take us back to an era of silent and grateful charities, and that is not the way in which we should progress in the future.

I ask the Opposition to listen to organisations such as the National Council for Voluntary Organisations, which has already registered its concern that

> "the Green Paper makes no reference to the important role that voluntary and community organisations play in campaigning and advocacy."

We have a strong, forward-looking agenda for change, which was drawn up in partnership with the sector. I think that the Conservatives would like us to have that relationship break down, and that is what would happen were they ever to get into power.

Our relationship with the sector should be deepened and strengthened. Our vision for the next 10 years is one of building stronger communities where people can and do make a difference; building a stronger third sector; investing in capacity to provide services; and creating new mechanisms for inward investment and transforming public services. This is a Government who have ensured, and will continue to ensure, that we have a thriving third sector and that volunteering is at the heart of stronger communities.

Question put and agreed to.

Resolved,

> That this House welcomes National Volunteering Week and the publication of the report of the Morgan Inquiry; recognises the outstanding contribution made by volunteers to what, sixty years ago, William Beveridge called 'the vigour and abundance of voluntary action…which are the distinguishing marks of a free society'; notes that every week millions of people volunteer their time for others, providing indispensable personal care and attention in all of Britain's communities; emphasises the continuing importance of volunteering even as the voluntary sector expands its paid workforce and takes on the delivery of public services; further notes that some voluntary organisations experience shortages of volunteers in key positions; supports the call of the Commission for the Future of Volunteering for 'volunteering to become part of the DNA of our society'; congratulates employers who encourage and make time available for their employees to volunteer; and urges the Government to address the bureaucratic barriers that lie between volunteers and volunteering.

Pensioner Poverty

Mr. Deputy Speaker (Sir Alan Haselhurst): I should report to the House that Mr. Speaker has selected the amendment in the name of the Prime Minister.

3.58 pm

Mr. Nigel Waterson (Eastbourne) (Con): I beg to move,

> That this House deplores the fact that, even on the Government's own figures, there are nearly two million pensioners living in poverty in the UK, that the poorest pensioners are seeing their incomes decline in real terms and that according to EU figures only pensioners in Latvia, Cyprus and Spain are more likely to fall into poverty; is concerned at the damage caused to many pensioners' finances by the alarming rise in food, energy and fuel prices and in council tax; regrets the fact that some 2.25 million older households are suffering from fuel poverty; disagrees with the Government's refusal to state when it intends to restore the link between average earnings and the basic state pension; notes with regret the Government's decision to abandon its target for maximising the take-up of pension credit when some 1.7 million pensioners eligible are not claiming it; further deplores the sharp decline in private pensions savings since 1997; and calls on the Government to finally redeem its pledge, made in 1997, to ensure that 'all pensioners should share fairly in the increasing prosperity of the nation'.

This is a timely debate, not least because the pensioners' parliament is currently meeting in Blackpool. Perhaps the best starting point for this debate is the amendment tabled by the Government, which reeks of self-satisfaction, self-delusion and a dismal level of complacency. Indeed, why should any of us support the amendment when the Secretary of State could not even bring himself to add his name to it?

The perfect illustration of how out of touch with pensioners this Government have become was the 10p tax rate fiasco. Even their belated efforts to right that wrong will not help all the pensioners affected, will not take effect straight away and will be for one year only. This debate is, to a large extent, Hamlet without the prince. The publication of the crucial statistics on both pensioner and child poverty has been held up. They were originally due out in March, and now we are promised them next week. Only this Monday, the Secretary of State was clearly rattled by the suggestion that they might have been suppressed for political reasons. We will have to wait and see. If the figures show that the Government are still failing to hit their poverty targets, any suspicions about the timing of the release could be strengthened. Presumably, they might have been suppressed to help Labour in the local and London mayoral elections and in the Crewe and Nantwich by-election—I am pleased to see in his place my hon. Friend the new Member for Crewe and Nantwich (Mr. Timpson).

The Minister for Pensions Reform (Mr. Mike O'Brien): Before the hon. Gentleman makes any more points about things being suppressed, he should know that the statistics were the subject of a review by the DWP statistics head of profession, which decided to delay publication because of an inaccuracy. That was independently verified by the Institute for Fiscal Studies and by Karen Dunnell, the national statistician. Unless the hon. Gentleman is suggesting that they are all engaged in a political conspiracy, he needs to apologise and withdraw the remarks he has just made.

Mr. Waterson: As I have said, let us wait and see what the figures tell us. If there was any political reason to hold them up—I accept, for the moment, the Minister's personal assurance—it has not done the Government much good in any event.

The bad news is that as Labour sinks to new historic lows in the polls, the likely date of a general election moves further into the distance. That is really bad news for the country as a whole, but it is especially bad news for pensioners. Ministers like to boast—the amendment is a good example—about their alleged successes in this field. All too often, however, they quote figures based on redefining a problem rather than solving it. For example, they boast about lower youth unemployment, while recycling many young people through the new deal. They boast about child poverty while moving the goalposts. As Disraeli said, there are

"lies, damned lies and statistics"—

Sir Gerald Kaufman (Manchester, Gorton) (Lab): It was Churchill.

Mr. Waterson: I think that the right hon. Gentleman will find that it was Disraeli: I looked it up this morning.

Sir Gerald Kaufman: Well, it takes someone from Leeds grammar school to teach me something.

Mr. Waterson: As a fellow alumnus, I always bow to the right hon. Gentleman. He might well have been there when Disraeli said it.

Ministers boast of removing 2 million pensioners from poverty. But if the same criteria are applied to pensioner poverty as to child poverty, it is a very different story. If pensioner poverty is measured as 60 per cent. of contemporary median income before housing costs—the measure that Ministers use to test the success of their child poverty targets—just 200,000 pensioners have been lifted out of poverty since 1997, a tenth of the figure claimed in the amendment.

Mr. David Winnick (Walsall, North) (Lab): The hon. Gentleman has not mentioned—perhaps he will do so—the winter fuel payment. In 1996, the last Christmas before Labour came to power—it was a bitterly cold winter—some of my hon. Friends and I went to No. 10 Downing street to plead for help for pensioners in the winter months, as there was no such allowance. The then Prime Minister, John Major, was not there, but I noticed that No.10 was very warm.

Mr. Waterson: I will come on to the issue of fuel poverty and I will be happy to take another intervention, but in 1996 gas prices were not rising at the rate they are at the moment.

Sir Peter Tapsell (Louth and Horncastle) (Con): Perhaps I may go back a little further and remind my hon. Friend that it was a Conservative Government who first introduced special heating grants, and a Labour Government, under Denis Healey, who abolished them.

Mr. Waterson: I am delighted that we have colleagues on both sides of the House who can give us a long-term view on such matters and put them firmly into perspective—

Bob Spink (Castle Point) (UKIP): Will the hon. Gentleman give way?

Mr. Waterson: I am going to make some progress.

Let us look at the figures that we do have. Even according to the Government's statistics, some 2 million pensioners are living in poverty—in the fifth richest economy on the planet during the 21st century and on the 100th anniversary of the first state pension. About two thirds of those pensioners living in poverty are women. Between 1997 and 2006, the number of people living in severe poverty—defined as living on less than 40 per cent. of median income—increased by 600,000. The poorest quarter of pensioner households saw their incomes rise by less than 1 per cent. last year, which is well below inflation. That means that their incomes are dropping in real terms. The worst off single pensioners saw their real incomes drop by about 4 per cent.

Bob Spink: Will the hon. Gentleman give way?

Mr. Waterson: According to recent EU statistics, only pensioners—

Angela Browning (Tiverton and Honiton) (Con): Will my hon. Friend give way?

Mr. Waterson: Yes, of course.

Angela Browning: Only a week ago, I was canvassing with my hon. Friend the Member for Crewe and Nantwich (Mr. Timpson) in Crewe, and we met two pensioner ladies. I was struck by the fact that they had worked hard all their lives and worked in the armaments factory in Crewe during the war, but one told us how, at 74, she had to go out and do a cleaning job just to keep her head above water for the basic requirements. When we talk about poverty, it is about money, but it is also about quality of life, which is quite intolerable for people of that age who have to work.

Mr. Waterson: I am grateful to my hon. Friend. We can all tell similar stories of canvassing in Crewe and Nantwich where such issues were raised on the doorstep. Ordinary working people, and retired people even more so, felt that Labour had lost touch with them and their priorities.

I was going to say that according to recent EU statistics only pensioners in Latvia, Spain and Cyprus are more likely to fall into poverty than those in the UK. The surge in food, energy and fuel prices and council tax bills, which have on average doubled under this Government, has hit pensioners hard. Some experts reckon that the true rate of inflation for pensioners is more like 9 per cent.

Mr. John Redwood (Wokingham) (Con): Has my hon. Friend noticed how the Government are very much at fault? They impose taxes, especially on motor fuels that are needed to deliver products and services to the elderly, and they increase the tax at the very time when the market price is going up, too. They are pocketing more money than they were budgeting for, and they are too mean to give it back.

Mr. Waterson: My right hon. Friend is absolutely right. The Treasury is quietly doing rather well out of the rises in fuel prices.

For many pensioners, the true rate of inflation is way above the official rate of inflation, because such a disproportionate amount of their income is spent on utility bills, council tax, food and fuel.

Albert Owen (Ynys Môn) (Lab): The hon. Member for Tiverton and Honiton (Angela Browning) was talking about quality of life issues. The Welsh Assembly Government, which has been Labour-led for many years, introduced the free bus transport concession for pensioners, which has now been implemented across the UK. Does the Conservative party support that, and, if so, why did the Conservative group in the Assembly not support it early on?

Mr. Waterson: I do not want to get too diverted, but in Eastbourne the Chancellor's largesse has landed council tax payers with an extra burden because the policy of free bus travel that was announced by the Government did not include the full price of the ticket.

Mr. John Gummer (Suffolk, Coastal) (Con): Is it not also true that in rural areas the Government have taken away the money that used to come to local authorities in order to give it to Labour authorities elsewhere, which means that the poor in rural areas now have to pay council taxes way beyond those paid by the poor in other areas and that the services that they get as a result are far worse?

Mr. Waterson: My right hon. Friend is absolutely right. There is growing evidence of a huge transfer of resources from Conservative areas, and rural areas in particular, to Labour-controlled areas. That situation needs to be addressed rapidly by the next Conservative Government.

It is no wonder that there has been a dramatic rise in the number of pensioners going bankrupt—from only 900 in 2002 to nearly 8,000 in 2007. That shows how, at a time of their lives when they are entitled to some peace of mind, money worries are preying on our elderly citizens. Even the new figures—when they emerge—will not take any account of the surge in energy and fuel prices that has occurred since the Prime Minister took over.

What of the longer term? A recent report by the Institute for Fiscal Studies does not make comfortable reading. It concludes that the proportion of pensioners below the poverty threshold will remain at its current level, despite the Government's reforms, for at least the next decade. Are Ministers embarrassed or ashamed? Not a bit of it. They persist in making extravagant claims about their alleged successes while many pensioners sink deeper into poverty, debt and despair.

The Government's main response to pensioner poverty has been to increase means-testing massively. Nearly half of all pensioners now retire subject to means-tested benefits. Surely even Ministers realise by now that they have tested to destruction the ability of means-testing to deliver help reliably to those who need it most.

Mr. Brooks Newmark (Braintree) (Con): Is my hon. Friend aware that many elderly people find the problem with means-testing is that the forms that they must fill in are incredibly complicated and even frightening? That has the result that many pensioners do not claim what they are perfectly entitled to.

Mr. Waterson: My hon. Friend makes a good point. Despite the sterling efforts of the Pension Service—I have visited my local branch in Eastbourne—which goes to extraordinary lengths to be helpful, many older people are put off by the complexity of the process, the form-filling and the long telephone call that is usually involved. There are other reasons, such as pride and not wanting to go cap in hand to the state. Many people assume that they are not entitled, and it is clear from the statistics that that is especially true for council tax benefit, because some elderly people who own their homes cannot believe for a moment that they would be qualified to claim.

Geraldine Smith (Morecambe and Lunesdale) (Lab): The pension credit has helped pensioners in my constituency, and the targeting of resources has meant that the poorest pensioners can be £30 or £40 a week better off. Would the hon. Gentleman scrap that?

Mr. Waterson: I am not saying that at all—*[Interruption.]* If the hon. Lady will allow me, I am saying that that is fine for those who make a claim. It is the duty of every Member to encourage people to claim—and, in some cases, to help them to claim, as we have probably all done—when they are entitled to do so. However, some 1.7 million people who are entitled to claim pension credit do not do so. There will always be some means-testing in the system—that is unavoidable—but we have mass means-testing for half of pensioners.

Bob Spink: Will the hon. Gentleman give way on means-testing?

Mr. Waterson: The prediction is that unless something is done—something is happening, so hopefully this will not occur—about 70 per cent. of pensioners will be subject to means-tested benefits by the middle of the century.

Bob Spink: Will the hon. Gentleman give way?

Mr. Waterson: The current Prime Minister—

Bob Spink: On a point of order, Mr. Deputy Speaker. The hon. Gentleman has taken interventions from every single Member in the Chamber, but he has refused to give way to me on five different occasions. Is it right that he discriminates against—

Mr. Deputy Speaker: Order. The hon. Gentleman knows that it is entirely for the Member who has the floor to decide whether to give way and take an intervention. That is certainly not a matter of order for the Chair.

Mr. Waterson: Thank you, Mr. Deputy Speaker.

When the Prime Minister was in opposition, he said:

> "I want the next Labour Government to achieve what in 50 years of the welfare state has never been achieved—the end of the means test for our elderly people"—

another broken promise.

As I have said, up to 1.7 million people who are entitled to pension credit do not claim it, despite any number of advertising campaigns and other attempts to boost take-up. The Secretary of State for Work and Pensions confirmed on Monday that the Government have dropped their original target for maximising take-up of pension credit.

Angela Watkinson (Upminster) (Con): The complexity of the forms often leads elderly people to seek the help of family or friends in completing them. If it is not done absolutely accurately—if an error on the form leads to the claim being refused—it is extremely difficult to put things right after they have gone wrong, so there is a serious case for making the process of claiming much simpler and easier to understand.

Mr. Waterson: I am grateful for that. In fairness, Ministers have attempted to make the process easier, and to bring in other benefits if people are claiming pension credit. We may hear a bit about that in the speech of the Minister for Pensions Reform. As my hon. Friend the Member for Upminster (Angela Watkinson) says, there is still some way to go in that regard.

The result of all the problems that I outlined is that nearly £5 billion a year in benefits goes unclaimed by older people and remains in the Treasury. The Institute for Fiscal Studies estimates that if all those benefits were claimed, it would lift 500,000 pensioners out of poverty at a stroke. The report's authors pointed out the effect that higher pension income among new retirees has had on relative poverty levels—that is, if it was not for the massive success, under previous Conservative Governments, of encouraging private and occupational pension saving, the poverty figures would be even worse. *[Interruption.]* The IFS concluded:

> "If the government wishes to see pensioner poverty continue to fall, it will have to find more money for pensioners in what will already be a tight spending review".

Did the right hon. Member for Manchester, Gorton (Sir Gerald Kaufman) wish to intervene?

Sir Gerald Kaufman: No, I was just interested. [HON. MEMBERS: "Go on!"] The hon. Gentleman's speech is extremely interesting, as I would expect a speech of his to be. On the other hand, it is perforated, as I shall show in my speech, if I catch Mr. Deputy Speaker's eye.

Mr. Waterson: I am not sure what the right hon. Gentleman means by "perforated". No doubt we will find out. As he and I were taught by the same English teacher, albeit many years apart, I have no doubt that he will expand on that point with some eloquence later.

Mr. Gummer: I would not like my hon. Friend's speech to be perforated as a result of his failing to say that poor pensioners are paying council tax to put back the money that the former Chancellor of the Exchequer, now the Prime Minister, stole from everybody's pensions. Public servants, particularly local authority servants, are being paid for by my poor pensioners.

Mr. Waterson: My right hon. Friend is absolutely right. There are other examples of massive unfairness, too. Approximately a third of state pension increases made since the Government came to power have been taken up by council tax bill increases, which is incredibly unfair.

Pete Wishart (Perth and North Perthshire) (SNP): Will the hon. Gentleman accept that council tax is one of the biggest contributory factors to pensioner poverty? In Scotland, 110,000 pensioners spend more than 10 per cent. of their disposable income on council tax. The Conservatives introduced the council tax, following the even more disastrous poll tax. Even after that experience, surely we should address the issue in order to tackle pensioner poverty, and base the tax on ability to pay, for goodness' sake.

Mr. Waterson: That is another debate, and one that I would find fascinating. I assume that the hon. Gentleman is not advocating a return to the poll tax. I do not know whether he has the same experience in his constituency, but I have come across constituents who use their winter fuel allowance to pay their council tax. That is completely bonkers. When Ministers go on about the winter fuel allowance, they have to realise that, for some pensioners, it is a way of paying their council tax bill.

Rob Marris (Wolverhampton, South-West) (Lab): The hon. Gentleman says that he wants a fair share for pensioners, and he rightly decries pensioner poverty. He also decries means-testing. Will he tell the House by how much his party would raise non-means-tested benefits, and what percentage of gross domestic product he thinks a Government ought to spend on pensioners? He ought to tell the House how much more his party would offer pensioners; otherwise, it is a rather empty debate.

Mr. Waterson: Yes, I will tell the hon. Gentleman, but not today. There are about two years for the Government to limp on, and I think they will do so. We need to see just how bad things have got and how dreadful the public finances are. I am always grateful for the hon. Gentleman's interventions. I do not know whether he is still a member of the Government. I shall set out the principles that we will use to approach the matters of policy in due course.

Albert Owen: One of the serious issues is that the poorest pensioners are not claiming council tax benefit, and one of the reasons is that local authorities do not encourage it. Does the hon. Gentleman agree that local authorities should send out, with council tax bills, a form so that the poorest pensioners and others entitled to it can claim council tax benefit?

Mr. Waterson: That is a fair point. My understanding is that there are moves afoot to tackle the issue. I think I am right in saying that council tax benefit has the worst take-up rate of any means-tested benefit, and I have tried to explain why. Anything that we can do to improve that, especially as council tax levels rise so much, would be welcomed in all parts of the House. The hon. Gentleman makes a good point.

In opposition, the present Prime Minister spent much of his time telling the Labour party that it could not promise to restore the link between the basic state pension and average earnings. The Government are the Johnny-come-latelys to the issue. We were the ones who promised to restore the link in our last manifesto. There is a great deal of mythology about the link and the scrapping of it, which we have gone into before and no doubt can again.

As I understand it, the Government's current position is that they intend to restore the link in 2012 or 2015, or possibly not even then if it is unaffordable. We have already legislated in the Pensions Act 2007 to do that. What we need is the trigger to be pulled by the Government. [HON. MEMBERS: "You abolished it."] I personally did not, but I know what hon. Members mean.

A couple of weeks ago, the Government had the opportunity to tell the House and the wider public precisely when they intend to redeem that promise. They ducked that opportunity and whipped their Members to vote the amendment down—another example of dithering by the Government. No wonder Age Concern concluded that

> "no joined up, targeted initiative exists to reach pensioners who live in poverty."

What an indictment.

There is another problem, linked directly to means-testing. It is the corrosive effect that that has on saving for retirement. Why should people put money aside now when they cannot be sure that they will be better off in retirement? No wonder the savings ratio has dropped to an historic low. The Government are storing up more potential poverty for the future because of the decline in pension saving. The current poverty statistics, as I explained, are significantly flattered by the success of previous Conservative Governments in encouraging private and occupational pensions.

As part of their attempt to repair the ravages of private pension saving since they came to power, the Government are setting up personal accounts. As the official Opposition, we have broadly supported the Turner package of reforms, but we want to ensure that personal accounts are indeed targeted on low and middle earners who have no pension savings. We have argued long and hard that personal accounts could well fail if the level of means-testing is not much reduced from present levels. The Pensions Policy Institute in particular has done a great deal of work to identify the at-risk groups who may be no better off or even worse off by being auto-enrolled into personal accounts. I am delighted that Ministers are now taking the matter seriously and have embarked on a programme of work with us, among others, to tackle the issue.

When it comes to pensions, confidence is a vital ingredient in getting people into the pension saving habit. Nothing has done more to undermine confidence than the Government's shameful dithering for more than four years about giving proper compensation to the 160,000 pension victims who lost their pensions through no fault of their own. The Government got there in the end, and should be commended for that, but they should not have taken so long or fought so hard against the move.

The issue of fuel poverty was raised earlier, and it is at the top of everyone's list of concerns at the moment. On the most recent figures, some 2.25 million older households are in the fuel poverty trap, and no doubt that figure is spiralling upwards almost daily. Indeed, the Government's own energy White Paper makes it clear that there is no prospect of their hitting their target of removing all vulnerable households from fuel poverty by 2010. The issue matters a lot, not just because it causes anxiety and stress for older people, but because last year there were 22,300 unnecessary winter deaths among older people in this country.

In the face of those unprecedented challenges, what do the Government do? They have cut spending on the Warm Front scheme over the next three years by 25 per cent. in real terms, and have done so in the teeth of advice from the Fuel Poverty Advisory Group that the bare minimum required was to maintain spending at current levels. It is no wonder the Government are now being taken to court over their fuel poverty strategy by Help the Aged and Friends of the Earth. What do we hear from Ministers? We hear a lot of rhetoric, empty gestures and announcements, designed to get them out of a problem today rather than to afford a long-term solution.

Sir Robert Smith (West Aberdeenshire and Kincardine) (LD): The hon. Gentleman is making an important point about fuel poverty. The Government strategy relied so much on cheap energy coming from competition, but that energy was not going to stay cheap for ever. The permanent solution relies on producing proper housing stock with proper efficient heating systems so that people can afford to heat their homes again.

Mr. Waterson: I am grateful to the hon. Gentleman, who is absolutely right. This is not a debate on energy policy, so I shall limit myself to saying that the primary duty of Government is to ensure energy supply at a reasonable price. As they have taken so long trying to develop any kind of rational energy policy, there is now a big gap—and a rising bill to go with it.

Mr. Winnick: Will the hon. Gentleman give way?

Mr. Waterson: If the hon. Gentleman will allow me, I shall make a little more progress; I have given way quite a lot.

Ministers' desperate pleas to energy companies have largely fallen on deaf ears. Their idea of monitoring fuel bills smacks more of Big Brother than of a serious attempt to tackle the problem. The so-called "extra" £225 million is not new money at all—it was first announced in April. Age Concern has described it as

> "just a drop in the ocean."

It goes on:

> "The government is quite simply failing the most vulnerable by not taking more action on this issue."

When we look at the figures, we see that the extra money will help only 100,000—just 2 per cent.—of the 4.5 million people in fuel poverty. Just the other day, there was another panic announcement from the Minister, on the issue of emergency vouchers to benefit claimants older than 70, to help with energy bills. We of course welcome any help for hard-pressed pensioners,

[Mr. Waterson]

but what was announced looks like another one-year-only, short-term fix. It is difficult not to agree with Help the Aged, which said:

> "The government cannot shirk its own responsibility to tackle this serious and growing problem. It must stop relying on 'quick wins' to resolve a long-term problem."

That sounds to me like new Labour's epitaph.

Mr. Winnick: I have never previously seen a Front-Bench spokesman persistently refuse to give way. Be that as it may, are the Tories now making a commitment to keep the winter fuel allowance if they win the election?

Mr. Waterson: First, I shall deal with the hon. Gentleman's initial remarks, which were rather churlish if I may say so. I have given way pretty promiscuously—including to him, on at least one occasion.

I will not make any commitments two years from an election about what we are going to do; the hon. Gentleman is old enough and experienced enough to know that that is an unlikely scenario. When the election comes, we will have a detailed, thought-out and costed suite of policies designed to help pensioners, who will by then presumably be in even worse straits than they are now after a further two years of this disastrous, dithering and incompetent Government.

In debating this important subject, we should not allow ourselves to get bogged down in dry statistics. These are flesh-and-blood issues. Poverty has a cancerous effect on our older citizens. It can affect their health, mental as well as physical; it can bring isolation and loneliness. In short, it can totally blight those later years of life when we all have some right to be free from unnecessary worry and stress. In its 1997 manifesto, Labour said:

> "We believe that all pensioners should share fairly in the increasing prosperity of the nation."

Surely, after 11 years in government, and with perhaps another two to go, it is high time to start living up to that promise. I commend the motion to the House.

4.30 pm

The Minister for Pensions Reform (Mr. Mike O'Brien): I beg to move, To leave out from "House" to the end of the Question, and to add instead thereof:

> "welcomes the policies of this Government to tackle pensioner poverty, which have lifted around two million pensioners out of absolute poverty and over one million out of relative poverty, and have led to spending of around £12 billion extra on pensioners compared with 1997; recognises that pension credit allows pensioners to live with dignity and rewards those who have saved for their own retirement; acknowledges the introduction of and increases to the winter fuel payment and further measures to ensure pensioners can keep warm; notes the provision of free off-peak bus travel granting freedom to pensioners and ensuring that they are not isolated in their own community; welcomes the long-term framework for pensions through the Pensions Act 2007, including relinking the basic state pension to average earnings and ensuring equality for women and carers with men by 2025; and further welcomes the private pension reforms in the Pensions Bill which will enable individuals to take personal responsibility for their own retirement."

I waited in vain for the enunciation of the principles that we were going to hear—I expected something. Do Conservative Members really expect us to believe that they have somehow changed—that they have been transformed from the hard-faced Thatcherites who removed the earnings link and slashed pensioners' incomes into compassionate Conservatives? They delude themselves that their record of 18 years in government can so easily be consigned to the dustbin of history. Pensioners, above all, will remember. They lived through the Thatcher and Major periods, and they know that at the next election the choice will be clear—Conservative or Labour? The party that broke the link with earnings, or the party committed to restoring it? The party that consigned millions of pensioners to poverty, or the party that has lifted more than 2 million out of absolute poverty? The party that forced pensioners to live on £68 a week, or the party spending an extra £12 billion a year so that no pensioner need live on less than £124 per week?

Let me say to the hon. Member for Louth and Horncastle (Sir Peter Tapsell), who sought to remind us of history, that in the year 1988-89 cold weather payments from the Conservative Government amounted to the grand sum of £2,510, compared with the party that in 2008-09 will pay £2 billion in winter fuel payments. That is the sort of thing that pensioners remember.

Sir Peter Tapsell: The point that I was making was that a previous Labour Government abolished those payments altogether.

Mr. O'Brien: The point that I was making is that this Government are making payments of £2 billion to pensioners in winter fuel payments and the Government whom the hon. Gentleman supported were making payments of £2,500.

There is a choice: the party that left thousands of pensioners to freeze in their homes because they could not pay their fuel bills, then put VAT on fuel, and then tried to double it to 17.5 per cent., or the party that has provided winter fuel payments to keep pensioners warm by helping them to pay their bills, and that after 1997 cut VAT on fuel from 8 per cent. to 5 per cent. One can imagine what fuel bills would be like today with VAT at 17.5 per cent. if John Major had got his way.

Mr. Winnick: During the Tory years, were not the cold weather payments the only help with heating? Furthermore, it had to be freezing in a particular area for seven consecutive days—not five or six—and then there would be a single payment only to those on income support that amounted to about £6 or £7.

Mr. O'Brien: My hon. Friend is right, and pensioners remember that.

Let us not forget private pensions either, because they were mentioned—the thousands cruelly robbed of their pensions in the 1980s and early 1990s through the Maxwell scandal, pension mis-selling and employers' pension holidays.

Mike Penning (Hemel Hempstead) (Con) *rose*—

Mr. Newmark: *rose*—

Mr. O'Brien: Let me just make my point, and then I will happily give way.

We had to clean up the private pensions mess by creating the pensions regulator to oversee private pension schemes, by creating the Pension Protection Fund to insure them and by ensuring that the Pensions Commission was able to undertake the biggest reform of pensions in a century and set out the parameters of the reform. We have taken that process on in the 2007 Act and in the current Pensions Bill, with the aim of bringing 9 million more people into private occupational pension schemes. Not only that, but we ensured in December, through the financial assistance scheme, that people such as the constituents of the hon. Member for Hemel Hempstead (Mike Penning) began to get the sort of justified result they needed for their pension schemes following the problems that they had when some of those schemes went down.

Mike Penning: The Minister is quite right: I am going to raise the matter of the 700 constituents who had their pensions stolen from them, and the 140,000 pensioners throughout the country—that is the minimum number—who had their pensions stolen. They had to wait five years for the Government to come up with the compensation that they deserved, after the Government had been dragged through the courts, and in front of the ombudsman, and found guilty. What would the Minister say to those of my constituents who are still waiting for compensation today? Some of them will be taxed at a rate of 40 per cent., not the 20 per cent. rate at which they should have been taxed at the time.

Mr. O'Brien: As it happens, this morning I signed the order that will ensure that those payments are made. They should receive their payments very quickly. We took the order through the House recently so those payments should be made very shortly.

Mike Penning: That sounds like great news for my constituents and the other 140,000 who have been waiting for five years-plus for the compensation that they deserve. What about the taxation issue? Will they be taxed at 40 per cent. on the lump sum? Will those who would have been taxed at the 10p rate before the Government abolished it—the poorest of those pensioners—have to pay tax at the 20p rate now?

Mr. O'Brien: On the reasons why the situation arose, and why his constituents had some difficulties when their pension scheme went down, the hon. Gentleman should remember that the regime under which the difficulties arose was created by the previous Conservative Government. His party is not without fault in that matter, and my party did arrange to compensate his constituents. On taxation, the people involved will be taxed, but will be able to refer that tax back to the period during which they would have otherwise received their payments. They will have to make arrangements with the taxman about how those payments are reclaimed, and they will be able to do so at the end of the year. We have, as he knows, consulted various people affected, including some of his constituents, to see what the best arrangements would be to deal with the matter.

Mr. Newmark: First, the Minister threw the name Maxwell at us as if that were going to be the thrust of his argument. Mr. Maxwell was a Labour Member of Parliament. Secondly, this Government have robbed £5 billion a year—£50 billion to date—from pensioners. Thirdly, we have the highest fuel tax in the whole of Europe. That is all driven by this Government.

Mr. O'Brien: Let me remind the hon. Gentleman that when we came to office in 1997, the amount of money spent by the state on pensioners was £62 billion a year. It is now £90 billion a year. A certain degree of humility on the part of his party is needed on the matter.

Rob Marris: I have to correct, indirectly, the figures that my hon. and learned Friend has given. The increase is much more than that. The increase in NHS spending is £60 billion a year, and two thirds of NHS spending, quite understandably and properly, goes on pensioners. The increase in NHS spending for pensioners amounts to £60 per week, per pensioner—all of which was opposed by the Opposition.

Mr. O'Brien: My hon. Friend is right. I was trying to be conservative in my use of figures, but he corrects me, quite rightly, to say that the amount that we are spending is much higher.

The Conservatives scheduled the debate on 16 January, then cancelled it. They rescheduled it for 14 May, but cancelled again. From the cancellations, we concluded that today we would hear some announcement of a big policy on pensioner poverty that they had been developing. This was, after all, their big chance to launch a new initiative—perhaps something on pension credit or winter fuel payments, or a measure to deal with food prices—but all we have heard today is the same old things. They have flunked the test. They said that they were going to set out some principles, but we never heard any. They claimed that they had changed, that they were different and that they were going to look after pensioners—unlike during the 18 years of Conservative Government. Their thin disguise fools no one. All we have heard is the same old opportunist polemics and point scoring, the same fussy misuse of statistics and, most painful, the same old lack of substance. If anyone had any doubts, they now know that, on pensions, the Conservatives will not make a difference, because they have nothing new to say.

Mr. Waterson: Will the Minister give way?

Mr. O'Brien: I give way to the hon. Gentleman in the hope that we will hear something new.

Mr. Waterson: The Minister chastised us for postponing the debate. I remind him that the last time it was fixed, then pulled, it was because we thought a debate on Burma was more urgent. I think that that was the right decision.

What is significant is that the Conservative Opposition have called a debate on pensioner poverty and on the record of a Labour Government, who have failed so dismally. Does not that strike the Minister as a sign of the way in which politics has changed in recent years?

Mr. O'Brien: Let us look at the record of this Government. This is the Government who have sought to help the poorest pensioners by substantially increasing, especially through pension credit, the amount of money that goes to them. Half the £12 billion increase—

Sir Gerald Kaufman: Will my hon. and learned Friend give way?

Mr. O'Brien: How can I refuse?

Sir Gerald Kaufman: The hon. Member for Eastbourne (Mr. Waterson) has just boasted that this debate was called by the Conservatives because they care so much about pensioners, but 93 per cent. of Conservative MPs are absent from the Chamber.

Mr. O'Brien: When judging who cares about them, pensioners will be able to compare the levels of caring, in terms of expenditure on pensioners, shown by the Conservative Governments of the past with the levels shown by the present Government.

We have shown that we are taking constant action to help the poorest pensioners. Last week, for example, we announced measures to help the most vulnerable pensioners to reduce their fuel bills.

Pete Wishart: Will the Minister give way on that point?

Mr. O'Brien: If the hon. Gentleman will forgive me, I want to make progress.

We shall do that through data sharing with energy companies, so that the poorest pensioners can get more help with their fuel bills. Those measures come in addition to this year's payment, alongside the winter fuel payment, of an extra £100 for pensioner households with someone over 80, bringing their payment up to £400, and an extra £50 for households with someone over 60, bringing their payment up to £250. The Government have also agreed with the energy companies that, in addition, the companies will increase their funding for social assistance by £225 million, thereby reducing the bills of many vulnerable pensioners.

The energy companies want to know where the poorest pensioners are, so that they can get them on the cheapest tariffs. We are prepared to share data with the energy companies through a trusted intermediary to enable the most vulnerable to have access to free home insulation, a beneficial fuel tariff, or even a cash rebate on their fuel bills. Allowing data sharing with energy companies is controversial, but as Age Concern, Help the Aged and others have said, the pressure of rising energy prices justifies that action.

In the Pensions Bill, which is now in the other place, we intend to take a power to tell the energy companies which of their customers is on pension credit. The Bill will not be passed until November, so in the meantime I have offered the energy companies the facility this winter to send a mailshot or voucher to those in receipt of pension credit. Whether it will go to people aged over 70 is still being discussed. It is now up to the energy companies to take that up as part of their £225 million contribution. At a time of rising fuel bills, we are providing practical help for pensioners.

Pete Wishart: Is not the Minister ashamed that, under a new Labour Government, 47 per cent. of single pensioners and 324,000 pensioner households in Scotland are in fuel poverty? Is it not odd—even perverse—that that is the case in oil-rich Scotland, a net exporter of energy?

Mr. O'Brien: The hon. Gentleman's statistics are not accurate because they exclude, for example, council tax benefit and several other payments such as the winter fuel payment. His statistics, which I have seen cited elsewhere, are partial and inaccurate. Indeed, they suggest that those on low incomes are on much lower incomes than they are. Half of single pensioners have incomes of less than £7,600 after deducting tax, council tax and housing costs. The £6,000 figure excludes, for example, housing benefit and various earnings and investment income. The hon. Gentleman's statistics are simply wrong.

Mr. David Heath (Somerton and Frome) (LD): I represent a rural area. It concerns me that many people who are in the most difficulty with their fuel bills cannot have gas and rely not on electricity but on fuel oil, the cost of which has gone up massively and will not be affected by the measures that the Government are introducing. They often live in old houses, which are the least amenable to sensible measures for reducing energy loss. Has the Minister any plans to help some of the least well off pensioners, who also live in the least helpful accommodation?

Mr. O'Brien: The supply of heating oil is a difficult issue. The Government still believe that open competition between the companies is the best way in which to try to keep prices down. The Office of Fair Trading monitors the market for the supply of heating oil to consumers. For many years, the Department for Business, Enterprise and Regulatory Reform has tried to promote connections to the gas network for deprived communities, thereby reducing their reliance on domestic heating oil. That Department's design and demonstration unit has developed and tested a model for such connections where existing funding is available. Furthermore, the energy efficiency measures that are in place can help to reduce some fuel bills. Ofgem and Energywatch have organised a joint initiative, energy smart, which explores measures that can be taken to improve energy efficiency. I hope that those points help the hon. Gentleman, but I appreciate that there is a big problem.

Sir Robert Smith: Will the Minister give way?

Mr. O'Brien: If the hon. Gentleman will forgive me, I need to make progress. I have been generous in giving way.

I hoped that Conservative Members would welcome our initiative to get fuel companies to provide extra help to the most vulnerable pensioners. After all, last year, they called for more help with rising fuel bills. Indeed, the hon. Member for South-West Surrey (Mr. Hunt) said:

> "we have no opposition to... data sharing when it happens... for a defined purpose".—[*Official Report*, 11 June 2007; Vol. 461, c. 600.]

Yet last week, the hon. Member for Rutland and Melton (Alan Duncan) attacked our proposals for data sharing as "alarming" and accused us of trying to "spy" on people. We get attacks both when we are not data sharing and when we are data sharing. They are simply opportunist attacks. There is no consistency, policy or substance in the Conservatives' actions. They do not have a strategy on pensioner policy, simply a way of opportunist point scoring. My old teacher used to say that empty vessels make the most noise. The Conservative vessel is certainly noisy, but it is empty of policy and has a captain who is always chasing the latest breeze.

Let me now deal with some of Conservative Members' more detailed claims because I welcome every opportunity to set our record against theirs. They say that pensioners are poorer. I will take no lessons on poverty from the Tories. In 1997, hundreds of thousands scraped a living on £68 a week. I remember the then Health Minister, Edwina Currie, simply telling pensioners that they had to wear long johns and woolly night caps to keep warm.

Average pensioner incomes under Labour have risen by 29 per cent. in real terms since 1997, which, importantly, compares with an increase in average earnings of 16 per cent. Pensioners' incomes have therefore risen above average earnings. Pensioner households are £1,500 better off this year than under the 1997 system. We have focused help on the poorest, so that the poorest third are £2,100 better off. That means that pensioners are today less likely to be poor than many other groups of the population. This is the first time that that has been the case. It is not that there are no poor pensioners—there are—but, because of pension credit, winter fuel payments, free bus travel and the other measures that we have introduced, pensioners are less likely to be in the lowest group.

Mr. Waterson: This is an important point and I glad that the Minister has raised it, because he raised it in questions on Monday. Until relatively recently—I am talking weeks or a couple of months—the mantra from Ministers was that pensioners were now no more likely to be in poverty than the rest of the population. There was a sudden shift in the rhetoric on Monday, when the Minister said—I understand that he has said it again today—that pensioners are now less likely to be in poverty than the rest of the population. Can he explain at what moment that change took place and what the basis for it is?

Mr. O'Brien: We have been looking into the statistics, and that is the current position. As we have put in place measures such as pension credit, the income of pensioners has risen, up to £124 in the case of a single pensioner. That is a significant help that other parts of the population cannot access. We heard some other strange uses of statistics from the hon. Gentleman. His view seemed to be that our pensioners were poorer than people in eastern Europe.

Mr. Waterson *indicated dissent.*

Mr. O'Brien: The hon. Gentleman should perhaps just remind me of the countries that came up.

Mr. Waterson: I appreciate that the Minister's short-term memory may be failing, but I was quoting the EUROSTAT figures from the other day, which said that, among European Union countries, only pensioners in Latvia, Cyprus and Spain were more likely to fall into poverty than UK pensioners. I do not imagine that the Minister wants to contest that statistic.

Mr. O'Brien: I certainly do want to contest that statistic, because it distorts the poverty data and the EUROSTAT statistics. Because we are a wealthier country, our poverty level in the EUROSTAT statistics is set higher than that for most European countries. That is the way the EUROSTAT statistics are set. For example, the UK poverty line is 13 times higher than Bulgaria's and seven times higher than Poland's. Our pensioners are therefore much better off than those in most other countries. When we take into account the basic state pension, pension credit, free TV licences, winter fuel payments and private pensions, our pensioners are better off than those in, say, France, Sweden, Denmark and similar countries. Our pensioners are much better off than those in most other European countries. Indeed, we are about fifth in the league and have moved way up since the Government came to power. The hon. Gentleman needs to be aware of that.

Another issue that the hon. Gentleman raised was council tax, so let me say something about that. I know that pensioners are concerned about council tax increases—often, increases come from Conservative councils. We recognise that we need to help the most vulnerable, so this year is the 11th year in which we have increased local authority grants by more than the rate of inflation. By 2010-11, the increase in Government grant for local services since 1997 will be 45 per cent. higher than inflation. Council tax benefit is also important, because it goes to 2.5 million pensioner households.

I heard hon. Members' comments on the difference between rural and urban areas. However, I represent a rural area in Warwickshire where, during the mid-90s, when John Major was Prime Minister, we had to join marches against school cuts. Teachers in Warwickshire were losing their jobs hand over fist as a result of cuts in local authority grant to that rural shire county. Under John Major, there was an 11 per cent. cut in policing. Today, police numbers are well up. There are no such marches or demonstrations at the moment, because we are funding local authorities better than the previous Conservative Government did, and if we had policies of the sort that they had, council tax would be even higher.

We seek to improve how we help pensioners who are paying council tax. Many of them are finding it difficult, which is why it is a priority for us to achieve take-up of council tax benefit. It is encouraging to note that pensioner take-up of council tax benefit increased by 2 per cent. in 2005-06—the first increase in a long time—but we need to get more take-up.

We think that about four out of 10 pensioners still fail to take up council tax benefit. That represents a massive £1.9 billion in unclaimed council tax benefit. The money is there and we are ready to provide it, but we cannot force people to take it. We want to encourage them to do so, and I note the suggestion that local authorities could write much more effectively to local people to achieve greater take-up.

I hope that the automaticity of payments that we plan for this October will boost take-up next year. It will mean that pensioners who claim pension credit by telephone can also claim council tax benefit and housing benefit automatically, with minimum form filling and fuss.

Let me say a quick word on the link. It always strikes me as odd when the Conservatives talk about the

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restoration of the earnings link. After all, they abolished it in 1983. This Government have enshrined in law their commitment to restoring the link. To make our position clear, we understand the desire for a specific date, but we have indicated that we would wish to restore it in 2012, or during the next Parliament, as the public finances and economy allow.

I have to say that this is not just something that we regard as desirable; it is fundamental to the package of reforms that we are taking forward. It is the foundation stone—the building block—for many other reforms, not only in the state sector under the Pensions Act 2007, but in the Bill that we are taking through Parliament. Restoring the link will mean lifting many more people out of pensioner poverty, and we will ensure that people are better off when they are saving on a private pension. That is a fundamental building block of our reform and it will be done—it is the key to our policies—but we need to take account of the wider fiscal and economic conditions.

The Conservatives also talked about other changes. I want to look at some of those. In the 1980s and 1990s, being old was the single biggest indicator of poverty, but under this Government pensioner poverty is down. Our record shows that, today, age is no longer a proxy for poverty.

In relation to pensioner poverty, there is a bigger issue that I want to touch on. We are committed to dealing with pensioner poverty—from Keir Hardie and Frederick Rogers, who led the campaign for the first state pension, to Clement Attlee, who extended the right of a pension to all, and Barbara Castle, who fought for better second pensions for older people—and we will continue to build on their legacy, targeting support on those most in need.

Today, the challenges of ageing stretch beyond financial poverty. I want to talk about how our ageing society presents us with new challenges. While it is still important that we address poverty—that must be the first priority—the challenges stretch wider than material well-being. The poverty of experience in old age and people's lack of control over their own lives need to be addressed. We are developing a comprehensive strategy to ensure that old age is a time of opportunity and enjoyment, rather than merely struggle and endurance.

Through our public service agreement, we want all Departments and local authorities to ensure that their policies and services better meet the needs of older people. Just as Beveridge identified the five giants he wanted to slay, I shall identify the five giants of old age with which we as a society—not just the Government—must get to grips in the decades ahead.

The first is, of course, poverty. Our second challenge is to tackle the problems of frailty, both physical and mental, so that the onset of dementia or the loss of mobility does not mean that an older person becomes detached from society; rather, their life should be lived with some dignity and some respect. Thirdly, we must tackle discrimination, so that the 70-year-old who is still bursting with energy can continue to work and perhaps re-train in order to volunteer or contribute in some other way as an active member of the community. I echo what was said by the Prime Minister during Prime Minister's Question Time: I, too, look forward to the new equalities Bill.

The fourth challenge is to tackle fear, so that older people feel confident in their homes and free to walk in their local streets, taking advantage of the public space that encourages interaction with others of all ages. The recent report by the World Health Organisation on age-friendly cities made particularly good points about that. The fifth challenge is perhaps the most difficult, and relates directly to pensioner poverty. We must tackle loneliness, so that the pensioner who lives alone, often isolated in a flat—talking to no one for a week, watching television—can find out where to go to make some friends, and can be encouraged to socialise or help in the local community.

We need progress on those new challenges to our ageing society, and we will build on our record of tackling poverty to ensure that we deal with them as well. Our Government are committed to tackling poverty and improving the lives of older people. Our achievements since 1997 are in sharp contrast to the empty rhetoric and cheap soundbites of Opposition Members, and my commitment today is that we will not rest here. In 1997 we spent £62 billion on pensioners; in 2008 the figure has risen to £90 billion, and is projected to rise to £264 billion as a result of our reforms. We are the party with the belief, the energy and the passion to do more for our pensioners. We will continue to champion social justice, so that we can continue to build a society based on fairness and opportunity for both the young and the old.

5.2 pm

Jenny Willott (Cardiff, Central) (LD): A Labour Back-Bencher told me yesterday that pensioners had never had it so good. While that may well be the case for some middle-class pensioners who bought their houses in the 1950s, 1960s, 1970s or 1980s—although they may be starting to get a little worried now—many pensioners are living close to, if not on, the poverty line. Many others are not below the poverty line only because they have undergone a complicated and intrusive process in order to claim means-tested benefits.

I agree with all the points made in the motion, although there is an important omission. It is the one thing on which the Conservatives are holding back: an immediate restoration of the link between pensions and earnings. I shall say more about that later.

When Labour came to power 11 years ago, they promised so much for pensioners. For some pensioners, life has improved. A huge 4 per cent. fewer of them live in poverty than in 1997, which represents progress, albeit a small amount. On the whole, however, pensioner poverty has remained fairly stagnant under Labour. According to the Government's own figures, 2.2 million pensioners are living in poverty after housing costs, compared with 2.4 million in 1997. The Minister looks confused, but those are the Government's figures. That equates to 21 per cent. of pensioners compared with 25 per cent. in 1997. However, given that in 1908, when the state pension was first introduced, 1.3 million people were considered to be paupers, the fact that 2.2 million pensioners in the same age category are now living in poverty strikes me as a slightly worrying trend.

There has been some improvement in one area. Because the minimum income guarantee and pension credit are uprated in line with earnings, unlike the basic state pension, fewer pensioners have slipped into poverty. However, the absence of a larger problem is not necessarily much cause for celebration.

A big problem with Labour's approach to pensioner poverty is its reliance on means-testing, which has been mentioned by several hon. Members today. The 2005-06 figures for the take-up of pension credit showed a rate of 65 per cent., or 2.6 million households. The Government estimate that 1.7 million people are missing out, and they are giving up on them by not pushing any further to increase take-up. The Government accept that they are not achieving that public service agreement target.

The Department's annual report, which I am sure all hon. Members would agree makes gripping reading, said that in November 2007, 2.73 million households were receiving pension credit. That is positive, because it was a slight increase on the figure for 2005-06, but it prompts a question about information. Clearly, more data are available to the Department than have been published, and it is disappointing that that information was not made available for scrutiny as soon as possible. It would be interesting to know what other data the Department holds that have not been published.

John Barrett (Edinburgh, West) (LD): Does my hon. Friend agree that on the several occasions when the Minister has said that those who are most in need are receiving pension credit, he has omitted to say that those who are most in need are those who are entitled to pension credit but are not getting it?

Jenny Willott: Absolutely; that is a valid point, and I thank my hon. Friend for making it.

It is not just the take-up of pension credit that we should be concerned about. Several hon. Members have mentioned the take-up of housing benefit and council tax benefit, although I think we all accept that housing benefit is less of an issue than council tax benefit. According to the 2005-06 figures, the take-up of housing benefit was about 85 per cent., which still left more than 300,000 people who were eligible to claim it but did not. Indeed, the figures were worse in 2005-06 than under the last Conservative Government. The worst of the lot was council tax benefit, for which the take-up among pensioners was about 57 per cent. Therefore, about 2.1 million people in pensioner households were eligible for that benefit but did not claim it. Again, the figure was worse than that under the last Conservative Government.

Miss Anne Begg (Aberdeen, South) (Lab): How do the Liberal Democrats aim to end pensioner poverty if they are setting their face against targeting help at the poorest pensioners? I might be wrong, of course; perhaps they are not setting their face against it. The only way to target help at the poorest pensioners is through means-testing.

Jenny Willott: I shall come to that point later, and I shall explain exactly what the Liberal Democrats would do that would make a difference.

Given that Labour's reliance on means-testing is a fundamental part of its targeting, as my hon. Friend the Member for Edinburgh, West (John Barrett) has said, it must be disappointed by the number of people who, by its own definition, should be claiming the benefit but are not, and who therefore are not getting the money that they need.

In July 2006, the National Audit Office published a report on Labour's progress on improving the take-up rate of benefits among pensioners in which it said that the PSA target on pension credit would not be met. Why has it taken the Government two years to reach the same conclusion? The same report suggested that the Government should improve the range of data that they collect on who is not claiming the benefit, and should share those data with the Pension Service and local services so that people in need can be better targeted. The report also said that the Government should allow more local autonomy so that local service providers could better target pockets of low take-up.

Mr. Mike O'Brien: May I begin by welcoming the hon. Lady to her new position? I hope that we will work closely on pension issues in the coming months.

On the report from which the hon. Lady quoted and her suggestion that information on the PSA target has not been in the public realm for two years, she should be aware that the then Secretary of State, my right hon. Friend who is now the Secretary of State for Business, Enterprise and Regulatory Reform, told the Select Committee on Work and Pensions in July 2006 that the target was not expected to be met.

Jenny Willott: If the Minister will allow me to say so, I think that he has confused two different issues that I have raised. One related to the information that the Department holds that is not in the public domain. I also referred specifically to the statistics in the annual report relating to November 2007. On the question whether the target was going to be met or dropped, there is a world of difference between a Minister telling a Select Committee that the target is likely to be missed and the Department actually acknowledging that and dropping the target. Those are two separate things.

Mr. O'Brien: If the hon. Lady checks the record—I say this gently to her—she will find that there was a ministerial statement at the time.

Jenny Willott: I will indeed go and have a look at that.

Mr. Waterson: I join the Minister in welcoming the hon. Lady to her new position. Does she agree that none of this is terribly important when compared with the reality that this is indeed a target that the Government have abandoned? There are still 1.7 million people who are not getting the pension credit to which they are entitled. Indeed, when the Government introduced the pension credit, the Treasury calculated that 1.4 million people would never claim it. The Government have therefore always cynically assumed that large numbers of people would never get round to claiming it.

Jenny Willott: Indeed; that is a valid point. Perhaps it is because the initial estimate was that 1.4 million people would not claim pension credit that the Government

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have assumed that 1.7 million is close enough to that figure for them to let the target quietly drop.

Will the Minister tell us, when he winds up the debate later, whether the suggestions made by the National Audit Office in 2006 were looked at and attempted before it was decided to drop the PSA target? The Government appear instead to have focused on gimmicks such as the pensioner Christmas bonus—a generous £10, I believe—which will not do very much to help, with food inflation at its present rate.

One of the major reasons pensioners are falling behind the rest of the population is that, since the Conservative Government broke the link with earnings in the 1980s, the basic state pension is uprated only in relation to prices. I concur with the Minister that that is a fundamental cause of many of the problems that pensioners now have with poverty. If they do not qualify for pension credit, they can get poorer in relation to the rest of the population as they get older, as the value of their pension diminishes. The Tories did a huge amount of damage between 1979 and 1997, reducing the basic state pension from 26 per cent. of average earnings to 17 per cent. That represents a huge drop over 18 years. Unfortunately, it has dropped even further under Labour, and it is now just 15 per cent. of average earnings.

Different European countries have already been mentioned, and I shall now throw another one into the mix. The value of our basic state pension, at 15 per cent. of average earnings, is worse than in the overwhelming majority of European countries—and not just the ones that we might expect, such as Sweden and Norway. That proportion is also worse than in the Czech Republic, Hungary, Italy and Portugal. Our basic state pension is worth less in relation to wages now than it was in 1978, 1958 or even 1908.

Miss Begg: It was remiss of me not to congratulate the hon. Lady, my ex-Select Committee colleague, on her promotion when I last intervened on her. Perhaps she is being disingenuous in making these comparisons. She says that the basic state pension in Britain is worse than that of Italy, but I am sure that she knows—as I do, having met some Italian politicians—that there is very little second pension provision in Italy. Almost all pensioners there depend almost wholly on the state pension. The relative wealth of pensioners in the two countries is therefore quite different, and in Britain our pensioners are much better off.

Jenny Willott: I was making a specific point about the basic state pension because, as the hon. Lady points out, there are different systems in the different European countries. In the UK, we rely significantly more on private provision than is the case in some other European countries. I was commenting not on the overall income that pensioners receive, but specifically on the basic state pension.

Mike Penning: The hon. Lady raises an important point. Traditionally, we have relied on private provision, but she will know from her own figures that that is now in massive decline, and that that has a lot to do with people's fear of having their pension robbed by the Government.

Jenny Willott: I thank the hon. Gentleman for his contribution to the debate. I would like to turn to the issue of women's pensions.

Mr. Brian Jenkins (Tamworth) (Lab): To put the record straight, the lack of confidence in private pensions came about solely because of the tremendous scandal of the mis-selling of private pensions in this country, orchestrated by the Conservative party when it was in government. [HON. MEMBERS: "Orchestrated?"] Orchestrated, yes.

Jenny Willott: I would rather not get into the politics of who did what to whom on private pensions, but there are a number of reasons why people are very concerned about saving in private pensions; mis-selling is one, but there are also examples such as Allied Steel and Wire and other cases mentioned earlier where people lost their pensions. People are also concerned that through means-testing, they will lose out on more than they have saved; the disincentive of means-testing puts people off saving through private schemes.

Women's pensions concern me. Currently, around 30 per cent. of women retire on a full state pension, in comparison with about 80 per cent. of men—a huge disparity. I know that Members on both sides are concerned about this and everybody wants to see progress made. But 2025 is a long time to wait for equality for women pensioners and millions of women are written off in the meantime. Even with the current pension reforms, nearly 40 per cent. of women will not get a full basic state pension in 2018. That seems to me far too far down the line for us to be making progress. We have a sexist system—designed by men for men—that has, over the decades, been to the detriment of women pensioners.

Mr. O'Brien: The way in which the hon. Lady is using these statistics is questionable. She knows very well that, following the 2007 Act, as from 2010—not so long to wait—75 per cent. of women will become eligible for a full basic state pension. She is right to say that it will rise over the following decade and a half to 90 per cent., or full equality. But the big jump will take place in 2010 for carers and for women who will be able to get a full basic state pension.

Mike Penning: On a point of order, Madam Deputy Speaker. If the Minister keeps making interventions after making a long speech at the start, there will be no time for Back Benchers to contribute to this very important debate. Is there any way you can stop the Minister getting up?

Madam Deputy Speaker (Sylvia Heal): Order. The hon. Gentleman knows full well that it is for the hon. Member with the Floor to decide whether they give way or not. It has nothing to do with the Chair.

Jenny Willott: Thank you, Madam Deputy Speaker, and on that note I shall refuse all interventions from both sides of the House until the end of my speech.

John Barrett: Apart from one?

Jenny Willott: Apart from one from my colleague.

John Barrett: I thank my hon. Friend for being very generous. On women's pensions, would it not be a good thing for the Government to allow women to increase their national insurance contributions by buying back previous years' contributions?

Jenny Willott: Absolutely. The reason I allowed my hon. Friend to intervene was that he had been trying to get in before the point of order. He made a valid point. The Government had a chance to solve the issue once and for all with the Pensions Act 2007, but like Opposition Members here and in another place, we are concerned that they have not done so and have blown the chance they had.

Let me move on to the Conservative party. As the Minister said, this seems to be a strange topic for the Conservatives to have chosen. It is clearly a hugely important issue but, as we have seen, the Conservatives have had nothing new to say at all. They also have nothing to be proud of when it comes to their record on pensioner poverty. The only concrete commitment they have made in the past few years to tackle pensioner poverty was the commitment in their 2005 election manifesto to restore the pensions link to earnings immediately, but that was dropped under the leadership of David Cameron. They have not made any new proposals—

Mr. Waterson *rose*—

Jenny Willott: I am afraid that I am not going to give way. I may allow some interventions at the end. *[Interruption.]*

Madam Deputy Speaker: Order. Is the hon. Lady giving way?

Jenny Willott: No.

Mr. Waterson: On a point of order, Madam Deputy Speaker. The hon. Lady cannot say that she is not going to allow interventions if she then provokes interventions by misrepresenting other parties' policies.

Madam Deputy Speaker: I just remind hon. Members of what was said earlier: it depends on whether or not the Member who has the Floor chooses to give way. If anything needs to be corrected, there may well be opportunities to do that later.

Mike Penning: On a point of order, Madam Deputy Speaker. The hon. Member for Cardiff, Central (Jenny Willott) cited a Member of this House by name in her previous contribution. Surely that remark should be withdrawn, as there is no time for a response to it.

Madam Deputy Speaker: I have made the point that there may well be an opportunity for a response to be made. The hon. Lady certainly made a reference by name, and I remind her that it is usual in the course of debate to refer to hon. Members' constituencies, rather than their names.

Jenny Willott: I apologise, Madam Deputy Speaker. As a relatively new Member of the House, I find it difficult trying to remember 646 constituency names. As I said before the points of order, I will allow interventions later, should hon. Members wish to make them then, but I want to make some progress now because I know that a number of Back Benchers wish to speak.

In the final three years of the previous Conservative Government, pensioner poverty levels remained roughly constant, at about 2.4 million before housing costs are taken into account and about 2.9 million after housing costs are taken into account. Those figures are higher than the levels under this Labour Government. Income support for pensioners under the Conservatives was worth 18 per cent. of average earnings, whereas pension credit is now worth about 21 per cent. The take-up of income support by pensioners in 1997 was about 65 per cent., which is almost the same as the current figure. The Conservatives did not crack the problem either. Admittedly, they did have slightly better take-up rates of council tax benefit and housing benefit than the Labour Government have achieved, but hundreds of thousands of pensioners still missed out on what they were due.

The biggest error that the Conservatives made was when the former Prime Minister, Lady Thatcher, broke the pensions and earnings link in the 1980s. For all the soft words that the Conservatives have spoken on pensioner poverty, they have not made a concrete commitment to reinstate the earnings link at a particular point in time, unlike the Liberal Democrats. Despite the Conservatives' making a clear commitment before the previous election—it was made both by the then shadow spokesman, the hon. Member for Havant (Mr. Willetts), and in the election manifesto—and despite the fact that they have been pressing the Government on this point repeatedly, they still have not said when they would reinstate the earnings link.

As befits the party that first introduced the state pension 100 years ago—the then Liberal party introduced it—the Lib Dems have the most radical solutions on reducing pensioner poverty. We are not tinkering around the edges. First, we would restore the earnings link immediately. I shall answer the point made by the hon. Member for Aberdeen, South (Miss Begg)—

Miss Begg: Will the hon. Lady give way?

Jenny Willott: Not for the moment. The Liberal Democrats would restore the earnings link immediately, so that pensioners stop falling further and further behind the rest of the population, and then we would introduce a radical overhaul of the basic state pension. We would increase it by up to £130 a month for single pensioners, and by up to £220 a month for couples. We would base entitlement on residency, not on national insurance contributions, and that would particularly help carers and women who have taken time out to bring up children. Such an approach would also reduce significantly the means-testing requirements. As well as improving income levels, it would encourage and support private saving, because it would remove the disincentive that has been introduced by significant levels of means-testing. The hon. Member for Eastbourne (Mr. Waterson) referred to that. Those proposals would eventually remove 3.5

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million pensioners from means-testing, and would reduce the projected levels of means-testing from the current estimate of 40 to 50 per cent., to about 10 per cent. The problems that having such high levels of means-testing will generate have been flagged up.

We need to tackle the cost of living for pensioners, rather than just their income levels. As has been mentioned by a number of hon. Members, one of the biggest problems is council tax. Scrapping that and replacing it with a fairer system based on people's income—the hon. Member for Perth and North Perthshire (Pete Wishart) discussed that—would make a huge difference to pensioners' disposable income. There are also real concerns about fuel poverty and the cost of other items of household expenditure.

The cost of food and fuel has risen significantly, especially recently. Since pensioners spend on average a third of their income on food and fuel, their inflation rate this year is much higher than the national indices produced by the Government. Estimates were produced in January that showed that inflation for pensioners will reach 7 per cent. in 2008. As the hon. Member for Eastbourne said earlier, it may be as high as 9 per cent., or more than double the national inflation estimate. At the same time as pensioners' income is falling behind that of the rest of the population, the pensioners' price index is significantly outstripping RPI, and that is a disturbing trend.

Fuel poverty is an issue that I have been concerned about for some time, even before I took on my present role. I represent a Welsh constituency and Wales has much higher levels of fuel poverty than other parts of the UK. It is good to see others taking up the issue and I welcome some of the moves that the Government have made recently to try to tackle the problem by working more closely with energy companies. We have already reached a crisis point on the issue. The number of households in fuel poverty has more than doubled since 2004 and the average energy bill is more than £1,000 this year, which is a huge amount for poor families and pensioners to pay.

In 2005, there were 1,500 excess winter deaths among pensioners in Wales alone, so the figures for the UK as a whole are very worrying. People are dying partly because they cannot afford adequate heating, and that should not be allowed to happen in a civilised country such as ours. We need a much more concerted effort to tackle that issue, and I am glad to see the Government taking the first steps.

The Government have made some progress, but they are grinding to a halt with their abandonment of the PSA target—at the worst possible time, given rising prices, increasing fuel poverty and the basic state pension reducing in value year on year. While I agree with the motion, the important missing element is a commitment to a date for the restoration of the earnings link. The Conservatives are pussyfooting around on the issue and making no firm commitments. Given that the last time that they were in power the situation of pensioners worsened, we have to ask why it would be any different next time.

The state pension was introduced by a Liberal Government 100 years ago this year, and we are still the only party making radical proposals.

5.27 pm

Sir Gerald Kaufman (Manchester, Gorton) (Lab): I listened with great interest to the hon. Member for Cardiff, Central (Jenny Willott). Although she is new to her role, she has fallen immediately into the trap for Liberal Democrat spokespeople on any subject—making unrealisable promises, made because Liberal Democrats know that they will never be in a position to fulfil any of the commitments that they make. It is easy for them, because it is only words.

I have a great personal regard for the hon. Member for Eastbourne (Mr. Waterson) and I always enjoy listening to him. However, I have to say how sorry I am that he has been used as the front man for a Conservative debate on pensions that is one of the most opportunistic debates in which I have ever participated or to which I have listened. Listening to Conservatives bewailing the plight of pensioners is like listening to Scrooge singing, "Have yourself a merry little Christmas". It does not come credibly from a party that had an appalling record on pensions in the 18 years for which it held office before Labour regained power in 1997. The hon. Gentleman explained to my hon. and learned Friend the Minister how keen the Opposition were to debate pensions, despite the fact that they have postponed the debate twice. The hon. Gentleman did not point out that today is one of the Tory party's days for choosing the subject, but throughout the debate on this issue, which the Conservatives claim is of such importance to their party, 93 per cent. of the Conservative Members of the House of Commons have been absent. It is their day, and it for them to produce speakers and people to listen to those speakers.

As I said, the Conservative voice on pensions is very difficult to accept as credible. For example, we had an intervention from the right hon. Member for Wokingham (Mr. Redwood), who has now very sensibly made himself scarce. The right hon. Gentleman inveighed against the cost of fuel, yet it was he who, as a member of the Conservative Government, voted for the Norman Lamont Budget that introduced the annual built-in fuel tax escalator. As I said during Question Time the other day, there is no point in the Conservatives' staging debates and producing commitments when we look at their record. As Aneurin Bevan said, "Why look into the crystal when you can read the book?" The book of the Conservative party's record on pensions is one of the most abysmal of those on all the subjects with which it has been involved in the House of Commons.

Mr. Graham Stuart (Beverley and Holderness) (Con): Someone who has been in this House as long as the right hon. Gentleman and who is as highly regarded as he is on both sides of the House should surely not seek to make his whole speech on such a serious subject into an attack on the Conservative party, as if Conservative Members have no interest in the subject of pensioner poverty. As the right hon. Member for Birkenhead (Mr. Field) has said, in 1997 the Conservative party left one of the strongest and best pension systems in Europe. It has been destroyed by the Government of whom he is a Member.

Sir Gerald Kaufman: The hon. Gentleman is a very charming Member and I take his intervention seriously. He refers to my service in this House. When I was first elected, during my first Parliament, we used to have general subject debates on Fridays. I made a political speech and the predecessor of the hon. Member for Eastbourne, Sir Charles Taylor, came up to me at the end of the debate and said, "You are a new Member and therefore I think I should explain to you that we keep politics out of debates on Fridays." The fact is that the House of Commons is all about politics. Not one of us would be sitting here on either side of the House without politics. When we are elected, we deal with subjects of profound interest and concern to many millions of people in this country, but the very idea that one can debate a subject such as pensions, or the national health service or law and order, without having a political basis for what one is talking about is very odd.

The hon. Member for Cardiff, Central provided us with a huge number of statistics, which peppered her speech in the intervals between her making commitments that she will never be called on to carry out. The intervention made by the hon. Member for Beverley and Holderness (Mr. Stuart) makes me wonder how he got here. I think that he fought an election campaign as a Conservative candidate and that he talked politics during his campaign. I have the highest possible regard for him as an individual, but I say to him that it is about politics. Without politics, we would not have elections and we would not be able to carry things out. That is my response to him.

Miss Begg: Does my right hon. Friend agree that whenever a politician says that we should not bring party politics into a debate, it is because they have lost the argument?

Sir Gerald Kaufman: As always, what my hon. Friend says is accurate.

The hon. Member for Cardiff, Central and others referred to the earnings link. The earnings link was broken by a Conservative Government in 1980. If they had not done that as a deliberate act of policy, which was announced by their Chancellor of the Exchequer at the time, there would be no debate about restoring the earnings link, or when to do so, because it would never have been broken. Breaking the link forms part of the Conservatives' record. Our Government have legislated to restore the earnings link. I wish that they could restore it sooner, but at least they have legislated.

Mr. Waterson: As always, I am listening closely to what the right hon. Gentleman is saying. If it was so outrageous of the wicked Tories to scrap the earnings link in 1980, why have the Labour Government done nothing about it over 11 years, and why might they do nothing about it until 2015—and perhaps not even then?

Sir Gerald Kaufman: I am glad that the hon. Gentleman accurately expects a Labour Government to be in office in 2015, as they will be, with me as a Back Bencher to support them. He will remember that when we were elected in 1997, we made a commitment to abide by spending and taxation levels as an act of fiscal responsibility. Of course I would like the link to be restored sooner—I will campaign for that—but let us be clear that it is no good for him to be moaning and wailing about our not putting right as quickly as some people would like something that the Conservatives put wrong deliberately.

When the Government introduced winter fuel payments in November 1997, the Conservative party derided the payments. It said that they were a gimmick and implied that it would get rid of them. It was only when it turned out that winter fuel payments were popular and helpful for pensioners that the Conservative party backtracked. When Conservative Members talk about the value of winter fuel payments and about poverty for pensioners, they must take account of the fact that they are complaining that something initiated by a Labour Government should be improved still further. That is quite true, but let us not forget that without a Labour Government, there would not have been winter fuel payments. I can tell the hon. Gentleman that pensioners know that.

The hon. Gentleman complained about the take-up and availability of the Warm Front scheme. Constituents write to me, as no doubt they write to him, about their wish to be involved in the scheme, but who created the scheme? The Labour Government did so in 2000. The scheme never existed under a Conservative Government. For Conservative Members to say that there is not enough take-up of the scheme is for them to admit that the scheme is valuable, which makes one wonder why the Conservative party never introduced it. When constituents ask me to do so, I visit them in their homes to discuss issues if they are not well enough or mobile enough to come and see me at my constituency surgery. When the Conservatives were in government, in winter constituents would ask me to visit in the early afternoon, because as soon as it got dark they would go to bed, as they could not afford to heat their houses. They lived in misery.

The Liberal Democrat party seems to believe that the issue is simply about reeling out a succession of statistics. The issue of pensioner poverty is of course to do with money, but in the end it is a human problem. As hon. Members have said, pensioners are living longer and longer because of the creation of the welfare state and because of the way in which health services assist pensioners. That involves the possibility of pensioners living alone and having to spend time alone. If their relatives do not live near them, they have the problem of loneliness, and the problem of participation in the general life of the community. That is a very important point. There is absolutely no doubt that money is very important for pensioners, but they also need the possibility of company. They need drop-in centres and the availability of all kinds of other facilities to make them feel that they are not on their own and are part of a community.

I do not for a moment say that the Government have solved the problem of poverty among pensioners. Of course they have not, and I very much doubt whether any Government will totally solve it, because there are more and more pensioners the whole time. The hon. Member for Cardiff, Central mentioned the number of people who were helped as a result of the creation of the old-age pension by Lloyd George. There are now 11 million people of pensionable age—a huge proportion of the population. Their need for the public services created by the state grows and grows.

[Sir Gerald Kaufman]

From time to time, I discuss with the chief executive of the Central Manchester and Manchester Children's University Hospital NHS Trust the issues that he has to deal with, and one of them is the fact that because pensioners are living longer and longer—that is a good thing, of course—they contract illnesses that they would not otherwise have lived to contract. Of course they require the services of the NHS. They require hospital space.

One of the problems that we did solve—my right hon. Friend the Member for Holborn and St. Pancras (Frank Dobson) solved it when we came to office in 1997—was bed blocking, and the fact that pensioners could not be discharged from hospital because there were no carers to look after them. At the time, there were no spaces in care homes, which the Conservatives had privatised. We solved that problem, but the fact is that pensioners will draw disproportionately on the services of the NHS because it is in the nature of ageing that they will contract all kinds of ailments that they would previously never have lived to contract.

What have we done on the issue? In his impressive account of the Government's record, my hon. and learned Friend the Minister for Pensions Reform mentioned that 3 million old-age pensioner households have been lifted out of poverty since 1997, that the basic state pension has risen above inflation every year since 2000, and that 3.3 million senior citizens receive pension credit. This very April we introduced free local bus travel for every pensioner as a right throughout the United Kingdom. The ability to travel and see family members is extremely important to counteract pensioner loneliness. We did that.

John Penrose (Weston-super-Mare) (Con): On the point about pension credit, does the right hon. Gentleman encounter the same problem as I do in my surgeries, where pensioners come in and complain about the endless bureaucracy involved in claiming it successfully? Is he aware that the pension credit application form is 17 pages long, with 18 pages of explanatory notes? Does he agree that simplifying the design of both the pension credit and the form would dramatically improve take-up and therefore reduce pensioner poverty significantly?

Sir Gerald Kaufman: The hon. Gentleman is probably right, and I agree that complicated forms are awkward not only for pensioners, but for all members of society who have to fill them in. I acknowledge that, and I hope that my hon. and learned Friend the Minister is working, as he indicated he was, to improve the situation. The hon. Gentleman makes a valid point, but the credit exists only because the Labour Government created it.

I accept that there are problems, which is why there is not 100 per cent. take-up, but the Government deserve congratulation for having created the pension credit, just as we created the winter fuel payment; 11.7 million pensioners in 8.6 million households are benefiting from winter fuel payments. One of the merits of that, which goes back to the intervention of the hon. Member for Weston-super-Mare (John Penrose), is that pensioners do not have to fill in a single form in order to claim the benefit. It comes through the post automatically. That is very good indeed. Without the Labour Government, there would never have been a winter fuel payment.

The hon. Member for Eastbourne spoke about Warm Front. There are grants of up to £4,000 to insulate homes. With reference to the television licence, I wish—I campaigned on this in the past—the Government felt able financially to provide free television licences to all pensioners. As everybody will acknowledge, the cost is substantial, but 3.3 million pensioner households are benefiting from the free TV licences for those aged 75 and over. The Government have introduced free passports for 4.5 million senior citizens aged 75 and over. They have restored free eye tests to 6.6 million pensioners. All those are achievements by the Labour Government.

I regard as one of the Government's most dazzling achievements the fact that there are now free flu inoculations for all 11 million pensioners every year as winter approaches. I am just slightly over the age at which one qualifies for the flu inoculation. What I find interesting is that the health centre at which I am registered sends me a letter asking me to apply for a date and a time when I can go for my flu inoculation. When that is fixed, I go there and I am given the inoculation without a wait at the precise time that has been arranged. I regard that as a dazzling act of efficiency that the Government have been able to achieve. Anybody who has used the national health service—I certainly have, and I am sure that every other hon. Member has—must be impressed by the dedication of its staff. In just over a month, on 5 July, we celebrate the 60th anniversary of the national health service. The Conservative party, in this House of Commons, voted against the creation of the service, which now provides such benefits to pensioners.

We will never be able to do enough for pensioners. Individually, as families and through pressure groups, pensioners are right to press Members of Parliament and the Government to do more for them the whole time. I will always join in on that, because our pensioners have gone through two wars and have worked hard for this country. They deserve dignity and comfort in retirement. Yes—let us go on pushing and pressing, regularly and frequently, for improvements in the situation of pensioners. But I will take no lectures from the Conservative party, whose record on the issue is appalling. The record of this Government, however, is one of which I am proud.

Madam Deputy Speaker: I call Brooks Newmark.

Mr. Charles Walker (Broxbourne) (Con): Hurrah!

5.50 pm

Mr. Brooks Newmark (Braintree) (Con): Thank you, Madam Deputy Speaker; I assume that my hon. Friend the Member for Broxbourne (Mr. Walker) is cheering because he is looking forward to what I have to say on this important subject.

We all have to cope with a rising cost of living and a record burden of tax from a Government who have clearly run out of money. However, we should regard the fact that that burden falls disproportionately on pensioners—some of the most vulnerable people in our society—as a disgrace. The real cost of living is increasing steadily, and that is all the more apparent for pensioners living on low or fixed incomes. Recent research highlights the fact that inflation for the elderly is more than a third higher than the official consumer prices index rate, at 3.4 per cent. As we have heard today, the elderly spend a higher proportion of their income on the bare necessities and less on consumer goods.

However, the numbers themselves do not tell the whole story of pensioners in my semi-rural constituency; they are struggling to run a car, and struggling with rising energy bills and the rising cost of a pint of milk and a loaf of bread. I want to focus on just two themes: fuel poverty and the Government's addiction to the means-testing of pensioners.

Rising energy costs are inconvenient to almost everybody, but they are potentially deadly to pensioners. Earlier this year, I wrote to the chief executive of EDF Energy, which supplies many of my constituents in Braintree and Witham, to ask what steps the company was taking to lighten the load of fuel poverty, which is falling on vulnerable people, particularly pensioners. The response that I received drew my attention to EDF's very welcome social tariff, which offers a 15 per cent. discount on energy bills for those in receipt of income support or pension credit or who are recognised as living in fuel poverty because they spend more than 10 per cent. of their annual income on energy. Nevertheless, a percentage discount of that kind becomes less and less relevant as the underlying cost continues to spiral upwards. The scheme will need to be kept under review, particularly as some energy suppliers have raised their tariffs by more than 15 per cent. already this year and average fuel bills have risen by 60 per cent. in the past four years.

I have two further observations, applicable to both the private sector and the Government in their respective responses to pensioner poverty, the first of which is short-termism. EDF, for instance, confirmed that its scheme is guaranteed to continue until March of next year, but not beyond. Similarly, the Government have shown time and again that they also favour short-term solutions to pensioner poverty; this year's Budget offered another one-off payment for pensioners, who would rather have a sustainable income. I have previously addressed this issue at some length with the Prime Minister. When the Treasury Committee considered the 2006 Budget, I reminded the right hon. Gentleman of Help the Aged's view of the failure to repeat a £200 council tax rebate for pensioners:

> "The Government issued a pre-election bribe last year but they have not renewed it for 2006. This exposes a shameful level of political expediency".

When I asked the Prime Minister what had changed since the general election, he said:

> "What has changed is we said in the last Budget that this was for the year and we made no commitment for it beyond that."

Unfortunately, this culture of Government living from year to year, devoid of long-term planning, does little to help the vulnerable pensioners who are living from hand to mouth day by day.

John Penrose: Does my hon. Friend agree that one of the causes of today's short-termism is almost certainly the Government's tight financial circumstances? We have already seen, with the 10p tax U-turn and with Northern Rock, the pressure that has been created on the Government's three financial tests. They had no headroom to make such short-term measures become sustainable longer-term measures. The reason for their short-term thinking is the financial pressures that they have landed themselves in.

Mr. Newmark: My hon. Friend makes an excellent point. This is happening across the board throughout all public services. The pre-Budget report and the Budget showed that the Government are having to make cut after cut, and the people paying the price are the vulnerable—the poorest in our society, particularly pensioners.

We have seen all too recently what happens to a Government fearing annihilation in local elections and by-elections—they feel free to make costly electoral bribes with taxpayers' money. Unfortunately, we have also seen the doubling of council tax over the past decade, met with rebates that then vanish after the electoral dust has settled. Now there is an additional one-off winter fuel payment of £100 for 2008-09. There has also been an increase in personal allowances partially to compensate those who lost out from the doubling of the 10p rate, which, again, will vanish when the year is up. The common theme in all the Government's disingenuous ingenuity is the short time horizon for additional support offered to the elderly and the vulnerable. This is not a helpful approach for those who are on low and fixed incomes and whose savings have been systematically eroded by the Government's ever-increasing dependence on means-testing.

My second observation concerns the challenge of increasing uptake. A total of 55,000 people are currently on EDF Energy's reduced social tariff, although the chief executive was unable to tell me how many of them fell within my constituency. I am glad that the private sector is taking action, and I hope that more will be done to promote uptake amongst pensioners and other vulnerable people. Yet the Government's response to pensioner fuel poverty has been an expensive awareness campaign through Citizens Advice that is unlikely to reach the most vulnerable pensioners who do not take the initiative to seek such advice. On the DWP's own figures, between 1.1 million and 1.7 million pensioners are not claiming the help that they are entitled to, and the Department even admits that the numbers responding to its campaigns to increase uptake are steadily decreasing over time.

More worrying still is the proposal for even more invasive data sharing between the Government and the energy companies—a point eloquently made earlier in the week by my hon. Friend the Member for Rutland and Melton (Alan Duncan). If a major energy supplier such as EDF does not hold data that can tell me how many people in my constituency—or in Braintree district, if that is easier for it—already make use of its own scheme, I have little confidence in entrusting it with the personal data of millions of vulnerable pensioners.

The elephant in the room concerning uptake remains the Government's utter failure to address their reliance on the principle of means-testing pensioners. The first question that I ever asked the former Prime Minister, in response to the concerns of the Braintree Pensioners Action Group, addressed that very point and it is

[Mr. Newmark]

something that I have since followed up with his successor. The current Prime Minister has told me:

> "Our aim is to link tax and benefits for pensioners in a way that there is a seamless transition through the benefit and tax system."

But outside his own parallel universe, the interaction of the tax and benefit systems has so many burst seams that the stuffing is falling out completely. The Government are still trying to compensate for the heavier tax burden and higher costs of living facing pensioners by relying on one-off bribes and means-tested benefits that pensioners find complicated and inaccessible. As many hon. Members do, I routinely see pensioners who qualify for means-tested benefits but do not understand their entitlement, even if they happen to receive it, because they are forced to plough through page after page of abstruse computer-generated calculations. I believe that my hon. Friend the Member for Weston-super-Mare (John Penrose) made that point.

The Prime Minister has also told me that the complexity does not matter so much because:

> "What we have reduced is the amount of means-testing that is done for pensioners."

Bah, humbug! But there are still 3.74 million people over the age of 60 in receipt of means-tested benefits and many more who are entitled to claim but do not do so. Help the Aged identifies a staggering sum of up to £4.5 billion that lies unclaimed each year. Furthermore, half of those pensioners entitled to council tax benefit do not claim it. Once again, there is a disconnect between the Prime Minister's rhetoric on means-testing and the reality of stagnating uptake, a declining savings culture and an ongoing failure to reach those pensioners who are most in need of additional support.

As the Government move to the introduction of personal accounts, the reliance on means-tested benefits will pose new problems for a new generation of savers looking towards their retirement. The Government must face up to the need to grasp the means-testing nettle so that people feel confident about saving for the future. The message must be that taking personal responsibility along with a personal account is the right thing for pensioners, and we will not leave them worse off. The Opposition motion is right to call on the Government to deliver on one promise from 1997, but they must also deliver on another: the end of means-testing for the elderly.

6.2 pm

Geraldine Smith (Morecambe and Lunesdale) (Lab): I had not intended to speak today. I intended just to come into the Chamber to hear what the Conservatives were going to say about pensioner poverty. I thought that they would be embarrassed and shamefaced when we looked back at the appalling record of the previous Conservative Government on pensioners and pensioner poverty. In contrast, the present Government's record is very good. How well we look after the most vulnerable members of society is the mark of a civilised society. This Government have a good record of looking after those vulnerable members, including the poorest pensioners.

The pension credit has been very successful, and it has helped several thousand pensioners in my constituency. It can make a difference of up to £30 or £40 a week, which is a substantial amount for someone on a low income. I accept some of the comments about the forms being complex and the take-up rate. We need to improve that; much more needs to be done. I listened to people from the Pension Service go through telephone calls with pensioners, and I have to say that what they did was very good. They took a lot of time, and some of those people are dedicated; they take pride and pleasure in helping pensioners claim the money to which they are rightly entitled.

We come to the winter fuel allowance—another success for this Government. It is interesting that it appears that the Conservatives intend to scrap it.

Andrew Selous (South-West Bedfordshire) (Con) *indicated dissent.*

Geraldine Smith: The hon. Gentleman shakes his head. Will he say that the Conservatives will retain the winter fuel allowance and that it will be part of their manifesto?

Andrew Selous: I can reassure the hon. Lady that we have no plans to scrap the winter fuel allowance.

Geraldine Smith: I am very pleased to hear that. Perhaps we can go through a few of the other measures. Will the Conservatives keep free transport for the elderly? My constituency is in a scenic area—we have Morcambe bay and the Lake district quite close at hand. It is great that pensioners can have days out—they have so much more freedom to get out of the house now.

Mr. Winnick: To revert to the winter fuel allowance, when the hon. Member for Eastbourne (Mr. Waterson), opening for the Opposition, was asked by me whether a Tory Government would keep the winter fuel allowance, he said that there were no commitments to be made. What has happened between his reply two hours ago and the intervention that we have just heard from the other Tory Front-Bench spokesman?

Geraldine Smith: I think it is a case of flip-flopping around. It will be interesting when the Conservatives have to start stating what their policies actually are. That is when we may see a change in fortunes and in the opinion polls. It is easy to be critical of what goes wrong with a Government, but at some point they will have to say what they will do to put it right. The British people are not stupid, and nor are pensioners—they will remember the Conservatives' record.

As well as free transport for pensioners, this Government have introduced free television licences for the over-75s—another very welcome measure. We have already heard about the Warm Front scheme, under which people can claim up to £4,000. That helps to ensure that pensioners' homes have proper central heating and people can keep warm.

We have touched only briefly today on the national health service, which is used mainly by pensioners. I have seen tremendous strides forward in the NHS. I remember, when the Conservative Government were in power, an old man—a Labour party member—who had to wait several years for a cataract operation. That man was practically blind; his poverty of life was appalling. Now, such operations take place within a matter of months or weeks. There has been a huge improvement. I have seen knee replacement operations going ahead in our local hospital, again within a matter of weeks. Before, people were not having those operations—they were dying before they could have them. In winter, old people lay on trolleys—

Mr. Walker: MRSA. C. difficile. People lying in their own vomit.

Madam Deputy Speaker: Order. The hon. Gentleman knows the rules of debate.

Geraldine Smith: People were dying on hospital trolleys. As I have said, the British people are not stupid. When they come to choose a Government, they will remember those things.

Another welcome measure introduced by this Government is the financial assistance scheme to support people who were cruelly robbed of their pension—quite right, too. Now, we have said that we will restore the link with earnings. The Conservatives conveniently forget that it was they who abolished it. It is incredible. There is an old northern saying, "You would stand clogging." They have absolutely no shame.

John Barrett: I take the hon. Lady's point about the importance of the link. Why does she think it has not been reintroduced in the 11 years of the Labour Government?

Geraldine Smith: The Government have said that they will restore that link and we await an announcement. The Conservatives have not given a clear commitment on when they would restore the link with earnings. Perhaps we might have an announcement on that. Are they going to restore the link with earnings? Will that be part of their manifesto and their pledges to the British people? *[Interruption.]* Was that a no? No answer. Okay.

There are things that the Government need to do something about. Council tax has been mentioned a few times today. The Government seriously need to address that. I would go so far as to say that it should be scrapped. A new, fairer tax should be implemented because the council tax is unfair.

My right hon. Friend the Member for Manchester, Gorton (Sir Gerald Kaufman) talked about drop-in centres for the elderly. It is important that elderly people are not left lonely in their own homes and can get out and socialise. In the Rainbow centre in my constituency, people do a fantastic job. They are often elderly people, who look after those who are more vulnerable, and ensure that there are meals on wheels services and that people can come to the centre and participate in a variety of activities. Much good is therefore happening in the community.

Of course, much more needs to be done to help pensioners—we should never get complacent. Those people remember the war, took part in it and fought for their country. They should be able to live out their lives with dignity and in comfort. We owe them a debt and we must ensure that we keep moving in the right direction and do more and more for the older people of this country.

6.11 pm

John Penrose (Weston-super-Mare) (Con): I want to pick up on some of the comments that my hon. Friend the Member for Eastbourne (Mr. Waterson) made in his opening speech. It is worth beginning by agreeing that the Government have done an impressive job of working on long-term pensioner poverty. They have taken some important steps, supported on a cross-party basis and by many people outside this place, to try to alleviate the systematic problems in the existing pensions system. We should acknowledge and celebrate that as an important piece of institutional workmanship, which, I hope, will stand the test of time and provide a solid foundation for reducing pensioner poverty in the long term. It is important to have cross-party consensus on that, and it is worth therefore celebrating the fact that there are reforms to the state pension in the works, including a vital measure on personal accounts, which is currently being considered in Parliament.

Restoring the earnings link from 2012 or 2015 is tremendously welcome, although we can argue about the timing. Reforms to the arrangements for carers' and women's pensions have also been mentioned. All those matters are vital and will make a material difference. However, the current problem is to do not with those long-term arrangements, which are impressive, but with a point that the committee of the Weston-super-Mare Senior Citizens Forum made to me. I encourage the Under-Secretary to visit it if he needs a refresher course because it is a feisty and well educated group, whose members will be delighted to discuss some of the problems with him at length.

Those pensioners say that it is all very well trying to put things in place for tomorrow's pensioners, but ask what the Government are doing—and why they are not doing more—for today's pensioners. They feel that the progress on long-term pensioner poverty alleviation is not matched to anything like the same extent by that on current pensioner poverty. That is a crucial point.

The earnings link will not be restored until 2012 at the earliest. As my hon. Friend the Member for Braintree (Mr. Newmark) said, because average earnings will continue rising higher than the state pension in the next few years, the state pension will continue to decline as a percentage of average earnings relative to people in work. That makes it more affordable for the Government, if they delay reintroducing the link until 2012 or 2015, but it also means continual increases in the number of pensioners on means-tested benefits between now and the date when the link is reintroduced. Clearly, we will start from an even worse position than we are in today.

The problems of fuel poverty have already been mentioned. The Government's moves, while welcome, will not be enough to make a significant difference to sufficient pensioners, especially as the cost of fuel skyrockets. Therefore, there is a wider issue of inflation for pensioners increasing much faster than the average figure for the economy as a whole.

That is partly to do with council tax, but it is also worth while pointing out that, as several hon. Members

[John Penrose]

have mentioned, the take-up of means-tested benefits is appallingly low. That is to do with the design of those benefits, as much as the complexity of the forms. I have already mentioned the pension credit form, at 17 pages, but it is worth while mentioning the housing benefit and council tax benefit form, too. That form is 29 pages long and the explanatory notes are six pages long. Although it is true that plenty of people are available to help pensioners to fill in those forms, that does not help with the fact that pensioners find them intrusive and demeaning. It must surely be better to reduce the low take-up rates by redesigning those benefits in a way that does not mean just simplifying the forms, but redesigning the complexity out of the system. That is the only way in which the Government will make progress on improving take-up rates.

The Government have, I fear, faced a significant problem in improving take-up rates and have already admitted defeat. They have been trying to persuade pensioners to parade their poverty by filling in all the forms, but have failed to improve take-up rates dramatically, as a result of those difficulties. A much more fundamental change needs to be introduced.

Why has the Government's progress on current pensioner poverty not been as impressive as the longer-term arrangements that they have put in place? My hon. Friend the Member for Braintree put his finger on it when he said, "It's all to do with money." The Government's finances are tighter than they have ever been and their three fiscal tests are under severe pressure. In fact, if we include the figures for Northern Rock, which the Government tend to forget, they have broken one of their fiscal rules. The Government faced problems over the 10p tax fiasco, which meant a one-off fix for this year, which will create additional fiscal pressures next year. As my hon. Friend said, the result is a series of short-term measures that do not allow pensioners to plan for the future or to be certain about their financial arrangements.

As the shadow Chancellor has said, the fundamental problem is that, fiscally, the Government failed to mend the roof when the sun was shining. The Under-Secretary will not be able to say this in public, but I am sure that he knows that there should be an opportunity to improve current pensioner poverty; indeed, there would be such an opportunity if there were more money in the Government's coffers, but there is not. Improving pensioner poverty would surely be at the top of this or any Conservative Government's priority list, but that opportunity will be lost, because of the financial constraints that the Government are currently under. I know that the Under-Secretary knows that that is a tremendous missed opportunity, which I am sure he would prefer not to have to face.

There are, however, two things, which I hope the Under-Secretary will point to, that will help without costing too much money. One of them, which should be fiscally neutral, is to improve the take-up of the key pension benefits that I have mentioned. I am assuming—I hope that he will reassure the House about this in his winding-up speech—that there is a contingency in the Government's budgets for an improvement in those key take-up ratios. On the assumption that there is, and that the Government therefore have the money ready, redesigning those benefits and forms, and improving the take-up rate will make a tremendous difference, particularly to those pensioners in the severest poverty, 60 per cent. of whom are not claiming the benefits to which they are entitled, according to the Government's figures. If the Government have the money in their budget, that fix, although not simple, would be tremendously effective and would not put the Government's finances under additional pressure.

The second thing that the Government could do—it would not cost a penny—is to ensure that the scandal of age-related discrimination is finished once and for all. I was particularly pleased to hear questions about that earlier today, in Prime Minister's questions. Perhaps I was being a little over-optimistic, but I hope that I heard from both the Prime Minister and the Minister for Pensions Reform, in his opening remarks in this debate, that there is a commitment to include measures to abolish age-related discrimination in the upcoming legislation that the Government are preparing. I hope that the Under-Secretary will reassure us on that point.

Those two measures alone would not put the Government's finances under any greater pressure, but would make a material difference, promptly and practically, to the problem of pensioner poverty today, not just in the long term.

6.19 pm

Mr. Charles Walker (Broxbourne) (Con): Thank you for calling me to speak towards the tail end of the debate, Madam Deputy Speaker.

I listened closely to the speech of the right hon. Member for Manchester, Gorton (Sir Gerald Kaufman), who made a number of telling points. The first was that the old will always be with us. Of course they will. It is incumbent on politicians—yes, we are politicians with differing views—to ensure that, more often than not, we get it right when looking after those who in the main have given a huge amount to society throughout their working lives.

We can have political differences over how that is done, but there is not a single politician in the House—on the Government, Conservative or Liberal Democrat Benches—whether in government or in opposition, who does not have at the core of their beliefs a desire to improve the outlook for pensioners. Therefore, I am not going to be partisan in this brief contribution.

Without doubt, pensioners face serious problems right now. In the main, that has to do with problems afflicting the global economy. Fuel prices are going up. A large amount of pensioners' income is spent on fuel, so that increase is hitting them in the pocket right now. Fuel prices are going up, so the cost of food production is going up. That means that food prices are going up, which is also hitting pensioners in the pocket right now. This is not something that will happen in a year's time; it is ongoing and it is causing financial hardship. We in the House need to come up with a range of ideas to alleviate the immediate pressure on pensioners.

There is also the issue with the council tax. One could be a little more political about how the council tax has risen so far in excess of inflation, but I do not want to be political. We need to consider how the council tax impacts on pensioners.

The hon. Member for Morecambe and Lunesdale (Geraldine Smith) and the right hon. Member for Manchester, Gorton also referred to the fact that poverty goes beyond income. It is about a range of other, connected issues. As politicians, we need to examine them in the round.

Many elderly people are carers. In my constituency and in many others, elderly people are looking after loved ones who suffer from Alzheimer's. That puts a huge strain on them emotionally and physically. We need to ensure that that strain is recognised and, wherever possible, alleviated.

One problem at local authority level is the ring-fencing of funds. Funds delivered to local authorities have to be spent in specific project areas. I would like far more local democracy to be introduced to local government, so that local government would live or die according to how it spent its money. For example, if the elderly population in Hertfordshire, the county in which I have a seat, were growing and more money needed to be spent on the elderly, and local politicians took the view that that is what needed to happen, the money could be found within existing budgets—I am not asking for more—and the argument could be made to redirect it towards alleviating the issues created around caring for people with Alzheimer's.

There also needs to be far better co-operation between the NHS and local authorities on providing integrated support services. The NHS is often quick to push people off its books and out of its beds, back on to the local authority. Again, costing pressures are created, which need to be addressed urgently.

More generally, pensioner poverty can be linked to access to health care. Pensioners tend to have less access to cars. When a partner, husband or wife is taken into hospital, the distances that pensioners have to travel to see that person might be extremely large and expensive to cover, and pensioners may have to rely on either taxis, which, as we know, can cost a lot of money, or public transport, which may run infrequently. If they are lucky enough to have a car, often when they get to the hospital, they have to pay parking charges.

We need to consider how we deliver health care to our elderly, but also how the people who care for them when they are in hospital—for example, their children, husbands or partners—can visit them in a cost-effective and reasonable way.

David Taylor (North-West Leicestershire) (Lab/Co-op): The hon. Gentleman has omitted to mention one way of conveying elderly people to hospital to visit wives and other loved ones: community transport. In my area, where the general hospitals are in remote parts of Derby, Leicester and Burton, there are plenty of buses run by community transport schemes, at least part of whose purpose is to take elderly people to hospital for appointments or to visit friends or family. Perhaps Governments could do more to underpin such provision.

Mr. Walker: That is an important point. I think that it is incumbent on primary care trusts and regional health authorities to consider how hospitals as well as local government can play their part in the funding of such schemes. Our local authority, Broxbourne, provides a subsidised bus service to help people to travel to hospitals to visit friends and relatives. I should like such services to be provided in a more joined-up way, rather than just being provided by local authorities with a bit of spare cash. If the Government could give a lead, that would be a step in the right direction.

We have heard a great deal about access to benefits. I know that the Government are keen to ensure that pensioners receive the benefits to which they are entitled, and the Conservatives are as well, but the truth is that that is not happening. I do not think any of us can afford to rest on our laurels until the rate of benefit take-up by pensioners is nearly 100 per cent. Those benefits can make a real difference.

If we are to deal with many of the cost issues faced by pensioners, we must either increase their incomes or reduce their costs. There are a number of ways in which we could do either. First, we should consider the cost of energy production, in which the Government have a part to play. Oil still forms a fundamental part of the energy burned by our power stations. We must find ways of reducing the cost of energy, which would have an immediate impact on pensioners, and we must encourage energy providers to subsidise the services that they deliver to pensioners. Such subsidies need not continue indefinitely, but at a time when energy prices are high and fuel bills are rising by 20 or 30 per cent. a year, the situation requires urgent attention.

Many pensioners who could be described as middle-income earners have scrimped and saved throughout their lives to build a future for themselves. Their earnings may have been similar to those of people living opposite, but instead of buying new cars and taking holidays, they bought their homes and made provision for their old age. Too often when such people go into residential care, there is a price to pay in the form of confiscation of their assets. I do not have an immediate answer to the problem, but we need to address that element of unfairness in the system.

Pensioners are slow to anger. They are wise people who have lived long lives and have seen it all before, and they like to take a long-term view of big issues. They do not jump up and down like younger people such as me, getting frightfully agitated. However, pensioners are now becoming worried and angry. On 22 October there is to be a lobby of the House by a pensioners' pressure group, and between now and then we need to make some progress in alleviating the immediate problem faced by pensioners: the increasing cost of day-to-day living. I know that the Government have taken the message on board, I know that we have taken it on board, and I hope that we can work collectively to ensure that that happens.

6.29 pm

Mike Penning (Hemel Hempstead) (Con): It is a pleasure to follow my hon. Friend the Member for Broxbourne (Mr. Walker). We have come to expect a passionate speech from him, and we heard another one this evening.

I am pleased to see that the Minister has returned to the Chamber, because I want to address some of the points that he made in his speech. I shall also try to

[Mike Penning]

persuade him to deal with the question that I asked him in an intervention earlier. If he does not manage to do so on this occasion, perhaps he will write to me.

In his opening remarks, the Minister said what a wonderful situation the country is in at the moment. He said that there were no marches or demonstrations and that everything out there is rosy for our pensioners and other constituents. I am not certain what world he lives in, but that certainly is not the case in my constituency, and I draw his attention to some recent demonstrations. Pensioners have joined me to demonstrate against the school closures in my constituency that the Government are, sadly, pushing through. The Government will not listen to the local pressure groups that have asked them not to close those schools now, while we are short of numbers, because they are imposing 18,000 homes on us, whether we want them or not, and children will be coming through.

The Minister could have joined me on the picket line at my local fire station, which has recently been closed because of financial problems. It is not the first time that I have been on a picket line at a fire station, as I used to be a member of the Fire Brigades Union.

David Taylor: On a point of order, Madam Deputy Speaker. I wonder whether we could consider what is being said, because fire station closures and school closures do not seem immediately to be linked to the topic of debate.

Madam Deputy Speaker: Order. I think that is for me to decide. I was allowing the hon. Gentleman some leeway in the hope that he would soon address his remarks to the motion on the Order Paper.

Mike Penning: Thank you, Madam Deputy Speaker. I was addressing the comments that the Minister made in his opening remarks. If the hon. Member for North-West Leicestershire (David Taylor) had been in the Chamber at that time, he would have known that and would not be wasting the Chamber's time now.

If the Minister thinks that no demonstrations are taking place and that pensioners are not concerned, he should join the hundreds of thousands of people around the country who are demonstrating against hospital closures, not least the 30-odd thousand who have signed a petition in my constituency. He mentioned that there is no bed blocking, but the reason why there is not much bed blocking in my constituency is that the wards are closing. Many care homes are also closing, and that is causing even more problems for hospitals in other areas that are trying to bring patients back to my constituency, because there is nowhere for them to go.

The Minister said that things are better today than they were 11 years ago. At that time, I was in a union that is no longer affiliated to the Labour party, and we made contributions to the Labour party—I must admit that I had my donations removed—in the hope that it would address the issues that it had talked about so much when it was in opposition for so long, but that has not happened. The figures that we have heard today are frightening—not least those given by the hon. Member for Cardiff, Central (Jenny Willott)—and show the many problems of so many pensioners who are still in poverty.

Let me draw the Minister's attention to one of the biggest demonstrations by pensioners in this country. The hon. Member for Cardiff, Central has joined me on many demonstrations, at which, to draw attention to the plight of the 140,000 pensioners whose pensions were stolen from them, many middle-aged men who had never demonstrated in their life took off most of their clothes just to get some publicity and to get the Government to listen to their plight.

The Minister proudly said that he has addressed that issue and that the Government have come forward with a package for those pensioners, who will get 90 per cent. of what they would have got, but I find that slightly difficult. I know the Minister well and I know that he has tried hard, but that has taken five years of promises, meetings, more meetings and demonstrations by people who had done the honourable thing. I have made this speech many times before in the House, and I know that the Minister agrees that they are honourable people who did the right thing. They worked hard and did not spend their money on holidays in lavish places, but put it into a pension scheme that Governments had said was safe.

This Government were taken to the parliamentary ombudsman on this matter, who found that they were in breach and that there had been maladministration. That is a fact that even the Minister cannot deny. He might disagree with the conclusions that were reached, but that is what the independent ombudsman found. The Government challenged the finding and said that they would not pay the compensation that the pensioners deserved and went to court, where they lost again. They went to the European Court, but they lost again, although they kept saying that they would not. They challenged the ruling in the courts.

For the Minister to stand here and say what a wonderful job the Government have done in compensating those pensioners five years later sticks in my throat slightly, because I know that although he has done his bit, his predecessors have been misleading, frankly, in many ways, regarding the promises that were made. I do not know why the Government did not listen to the parliamentary ombudsman at the time. That is exactly what previous Governments had done; they had adhered to the parliamentary ombudsman's report, come up with a compensation package and paid the compensation.

One of the great problems—I know that the Minister knows this to be a fact—is that, because this has taken five years, a lot of these pensioners will now get a lump sum, which will put them into a completely different tax bracket from the one that would have applied if they had been given their pension, to which they had a right, five years ago. It cannot be right for the Government to bring forward a compensation package that will force pensioners to pay more tax than they would have done if they had had their pension by right. Earlier on, the Minister said that this was a matter for the pensioners to take up with the taxman, but it is not; it is a matter for the Government to sort out. It is not the pensioners' fault that they did not get their pensions. It was owing to this Government's maladministration—that is the parliamentary ombudsman's word, not mine—that they failed to get their pensions.

Two groups of people are really suffering, at both ends of the spectrum, in relation to income tax. There are those who will receive a lump sum and will have to pay 40 per cent. of it, which they would not have had to pay if they had had their compensation earlier. Another group—a smaller group, I admit—comprises those who are the most needy and who would have paid only 10p in the pound before the Government abolished the 10p tax rate. Surely it cannot be right for any Government—let alone this Government, who have promised to compensate the people who have lost out—to do that. If the 10p rate had still been in place, and if those people had been given the pension that they deserved, they would not have to pay the 20p in the pound that they will now be asked to pay. I have not seen any compensation package that will protect those people.

Anne Main (St. Albans) (Con): I thank my hon. Friend for giving way. He and I share the same group of pensioners who have been affected by the Dexion pension collapse. He has put forward a cogent argument in relation to the package that has now been put in place, but that package will not compensate for the stress and worry that people went through, and the life-altering changes that they had to make during that time, when they did not know how much money they would be able to spend or what debts they might incur. On top of all that life-altering stress and change, it seems doubly unfair to tax them at a higher rate. The Government really should show a bit more compassion over this.

Mike Penning: I thank my hon. Friend for that intervention and pay tribute to the work that she has done on behalf of her constituents on this issue.

As the Minister knows, some of those pensioners did not live to see the end of the process, and there are widows out there who are suffering as well. They will now fall into the higher tax bracket. Some of them have had to go to work because they had no income from the pension that they had paid into. They have already paid tax on the income that they earned, and now they will be asked to pay tax on top of that, which will take them into the 40 per cent. tax bracket.

However, the particular people for whom everyone in the House should feel sorry, and for whom the Government must do something, are those who would have paid only 10p in the pound before, and who are now going to have to pay 20p. They are the most vulnerable pensioners—in my constituency, they worked for Dexion—who earned the lowest amount, but they are now going to be hammered. That is not compensation; that is vindictiveness.

6.38 pm

Andrew Selous (South-West Bedfordshire) (Con): We have had an important debate tonight, which was comprehensively and persuasively introduced by my hon. Friend the Member for Eastbourne (Mr. Waterson). The debate on pensioner poverty was initiated by the Conservative party because it is such an important issue. Let me begin by welcoming the hon. Member for Cardiff, Central (Jenny Willott) to her new responsibilities. Among other things, she said that only 57 per cent. of people were taking up council tax benefit, and that the take-up rates for council tax benefit and housing benefit were actually lower than under the previous Conservative Government. She was wrong, however, to say that my party would not restore the earnings link; we will be doing that.

The right hon. Member for Manchester, Gorton (Sir Gerald Kaufman) paid kind compliments to my hon. Friend the Member for Eastbourne—I gather that they shared an English teacher at some time in the past. The right hon. Gentleman also said that the issue of bed blocking had been solved, but listening to the experiences of hon. Members on both sides of the House, it seems that that is not the case.

My hon. Friend the Member for Braintree (Mr. Newmark) spoke movingly about the position of pensioners in his semi-rural constituency, as he described it. He made the very valid point that inflation for the elderly is higher than it is for the rest of the population and reminded the House of the Government's failure to repeat the £200 council tax reduction in 2006. As he told us, Help the Aged described that as a cynical election bribe.

The hon. Member for Morecambe and Lunesdale (Geraldine Smith) talked about pensioners dying under the previous Conservative Government, but I did not detect any reference to or sorrow about the fact that there were 22,300 unnecessary winter deaths of older people last year. That needs to go on the record.

My hon. Friend the Member for Weston-super-Mare (John Penrose) made his customarily reasonable and measured speech, for which he is well respected on all sides of the House. He talked of the need for proper and fundamental reform of our pensions system. I was delighted to hear what he said about the need to get rid of age discrimination. Future generations will look back with incredulity at the way in which we treat people above pensionable age who want to work. The sooner we get rid of that form of discrimination, the better.

My hon. Friend the Member for Broxbourne (Mr. Walker), a diligent attendee in the Chamber, called rightly for more freedom for local authorities to spend their money as they see fit in relation to their older residents. He also referred to the confiscation of assets of people going in for long-term care. We had an excellent policy on that at the last general election, which no doubt persuaded many pensioners in his constituency to vote for my hon. Friend.

My hon. Friend the Member for Hemel Hempstead (Mike Penning) mentioned, quite rightly, his Dexion pensioners. I pay tribute to the tenacity that my hon. Friend has shown over years on behalf of those pensioners, some of whom are in my constituency. He reminded the Minister of the protest marches going on up and down the country at the moment against various aspects of Government policy. Marches are taking place in Hemel Hempstead and elsewhere. The Minister said he was not aware of such marches but he has been made aware of them now.

I was struck by the interventions by my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer), who pointed out that rural pensioners—those living in market towns and villages up and down the country—are paying higher council tax and often receiving worse services. He also made the important point—one that I

[Andrew Selous]

made in a previous intervention on the Prime Minister—that those council taxes are higher because local authorities are having to put more money into the pension schemes for their staff because of the Government's £5 billion a year tax raid on occupational pension funds. We do not hear enough about that.

I was pleased to hear mention of heating oil from the hon. Member for Somerton and Frome (Mr. Heath). I heard a recent story about shepherds in Scotland whose bill for filling their oil tank is more than their monthly wage; they have to have their oil paid for by their employers, who they then pay back on a monthly basis.

The Minister's approach seemed to be to go back and knock what happened under the last Conservative Government—a sign of a Government who are backward-looking rather than focused on preventing future pensioner poverty. Instead of attacking what took place 11 years ago, they should be more focused on ensuring that the nearly £5 billion of unclaimed benefits today actually gets to the pensioners who desperately need those benefits, 500,000 of whom would be lifted out of poverty if those benefits were paid out, according to the Institute for Fiscal Studies.

The Conservative party has supported the Turner pension reform proposals as a sound basis for a future pensions settlement and we are pleased that at last the Government are taking seriously the concerns we have raised about those people who would be better advised not to enrol in the new personal accounts scheme because of their loss of means-tested benefits. But these vital pension reforms to state pensions and personal accounts do not come in until 2010 and 2012 respectively. That is 13 to 15 years after the Government entered office, pledging that all pensioners should share fairly in the increasing prosperity of the nation. That means that a large proportion of the working-age population will be poorer than they need to be in retirement, as the Government will have taken 15 years to put a decent pension settlement in place when they would have had the support of the Conservative party to do that on day one. Rather than hearing self-satisfied complacency from the Government about what they have done, it would be good to have a general recognition across the House of the scale of the problem.

Figures produced by EUROSTAT on 28 March show that out of 29 European countries, the United Kingdom is the fourth worst in which to be a pensioner. Only Cyprus, Spain and Latvia have a greater proportion of their pensioners living in poverty, using 60 per cent. of median equivalised income after social transfers—

Mr. Mike O'Brien *indicated dissent.*

Andrew Selous: The Minister shakes his head, but he should look at the note on the EUROSTAT figures. This Government have a tendency not to like any figures that they have not produced; they do not like the UN figures, the OECD figures or the EUROSTAT figures.

Rob Marris *rose—*

Andrew Selous: I do not have long left, and I am going to respond to the hon. Members who have spoken in the debate.

The figures also show that the proportion of pensioners living in poverty in the UK increased between 1997 and 2006, while the proportion of over-65s living in poverty in Greece, Portugal, France, Austria and Luxembourg fell. So, I hope that we will hear some sober reflection from the Minister on what more can be done, within the constraints of pretty battered public finances, to help today's pensioners, who are struggling with massively high gas, electricity and oil bills, as well as much higher food prices, increased council tax and the loss of the 10p tax band.

One of my pensioner constituents wrote to me last month, and the Ministers might like to listen to what he said:

> "As a life long supporter of the Labour party I must say that I am perplexed that a Labour Government should penalise pensioners with a modest income. Revenue & Customs have been of little help in answering my questions…The Government's proposal to compensate those who have lost out is, to my mind, too late as it does not reflect a change in policy but is simply a political response to last week's defeat at the polls. I wish you well in your legitimate attack on the Government and, like many other citizens, await the next General Election when we can vent our displeasure."

It is good for Ministers to hear what ordinary pensioners who used to support the Labour party are saying.

I raised with the previous Prime Minister the fact that some of my constituents, and others up and down the country, were paying one third or more of their entire income in council tax. Many pensioners across the country run down their savings every year in order to stay in the home they love and to pay their council tax, which invariably rises at a far higher rate than their pension. What have the Government done with the Lyons review on the future of council tax? Again, they have dithered and kicked it into the long grass. That simply will not do; our elderly constituents deserve better, as the hon. Member for Morecambe and Lunesdale rightly mentioned. That applies not least to English pensioners, who are suffering tax and council tax increases, while the Scots have their council tax frozen this year. What happened to fairness across the United Kingdom?

We have heard criticisms of a lack of Conservative policy, but my hon. Friends were elected to this House in 2005 on a manifesto commitment to halve the council tax of everyone over the age of 65, up to a maximum of £500 a year, for the life of this Parliament. That compares with the Government's lower, £200 for one year only, offer. We were also elected on a pledge to restore the earnings link, when the Labour party was telling the country that that could not be done. So we are not going to take any lectures tonight on Conservative party failings, not least because the Government have nicked at least eight Conservative policies. I know that Labour Members are keen to know what the Conservative policy will be in more areas, but as they have already stolen so many of our policies, we will keep a few in the locker until just before the general election, so that the Government do not take those as well.

The raid on private pensions has taken place, whereby £100 billion has been taken out, and the savings ratio is only a third of what it was in the second quarter of 1997. In many societies, respect for the elderly is a given, but in our country the cult of youth often seems to dominate. Taking the right decisions now to look after current and future pensioners—the men and women who have given a lifetime of service to our country—is one of the most important responsibilities that we face in this House.

6.49 pm

The Parliamentary Under-Secretary of State for Work and Pensions (Mr. James Plaskitt): We have had an interesting debate this afternoon with contributions from the hon. Member for Cardiff, Central (Jenny Willott)—I welcome her to her new post—my right hon. Friend the Member for Manchester, Gorton (Sir Gerald Kaufman), my hon. Friend the Member for Morecambe and Lunesdale (Geraldine Smith) and from the hon. Members for Braintree (Mr. Newmark), for Weston-super-Mare (John Penrose), for Broxbourne (Mr. Walker), for Hemel Hempstead (Mike Penning) and for South-West Bedfordshire (Andrew Selous). The debate has been based on the Conservative motion and I shall conclude it by focusing on that, and as I do so, I shall respond to specific points made by hon. Members.

The motion begins with a comment about 2 million pensioners still living in poverty. As we have established this afternoon, we take no lessons on poverty from the Tory party. During the 1980s, pensioner poverty fell only when there was a recession. That was the Tory method of cutting pensioner poverty—reduce median income, watch the wages of working-age people drop and unemployment rise and, hey presto, pensioner poverty falls. In fact, when this Government came to power in 1997, 3.2 million pensioners were in absolute poverty.

Unlike the Tories, we believe in giving the poorest in our society meaningful help, while keeping the economy strong. Because of the effective measures that we have taken and substantial extra investment, pensioner poverty has fallen while the economy has grown. And it has fallen not by a bit, but by more than 2 million in absolute terms. Support such as pension credit, winter fuel payments and help with council tax mean that today pensioner households are on average £29 a week better off than under the 1997 system and the poorest third are £40 a week better off. That means that today, pensioners are less likely to be in poverty than any group in society. That could never have been said under the previous Conservative Government.

The second claim in the motion is that

> "the poorest pensioners are seeing their incomes decline in real terms".

That claim is simply wrong. The Conservatives' source seems to be a misreading of a parliamentary answer given by my hon. and learned Friend the Minister for Pensions Reform in July 2007. The figures in the answer were in real terms and included the effect of inflation. To get the figure used in the motion, the Conservatives have double-counted for inflation. Perhaps that is because they used to run inflation at double the level that it is under this Government.

Opposition Members appear to find it difficult to get even a basic understanding of the figures. Such figures are only accurate as trends and the trend is very firmly up for all groups of pensioners over the past decade. The trends show that the incomes of the poorest pensioner households have risen by around 30 per cent. since 1997. Average pensioner incomes have risen by 29 per cent. since 1997 in real terms, compared to earnings growth of 16 per cent.

The motion then makes a claim based on the EUROSTAT statistics about pensioners in Latvia, Cyprus and Spain, to which the hon. Member for South-West Bedfordshire returned in his speech. The hon. Member for Cardiff, Central also focused on them. The claim rests on a complete misreading of the data. The EUROSTAT survey measures the median income of each country and that of pensioners. The UK is relatively well-off so our poverty line is higher, and so our "poorest pensioners" are better off than the "poorest pensioners" in other countries. The motion's claim is therefore spurious.

The UK has the fifth highest median pensioner income in the EU—higher than in France, Denmark and Sweden. So a "poor" pensioner in the UK has an income a 10th higher than that of a poor pensioner in Germany and a fifth higher than one in France. A poor pensioner in the UK has an income nearly twice that of a poor Spanish pensioner, three times that of a poor Latvian pensioner and more than 10 times that of a Cypriot pensioner. Furthermore, the EUROSTAT figures also ignore housing costs, personal pensions, and free health care—

Andrew Selous: Will the Minister give way?

Mr. Plaskitt: No, I do not have time.

So if hon. Members want to use EUROSTAT, the most reliable data are those that show that a decade ago UK pensioners had a median income which was one seventh below that of the EU15. Today, it is nearly one 10th above that median. That is the reality of the situation.

The charge of rising costs adding further to poverty was stressed by the hon. Members for Braintree, for Weston-super-Mare and for Broxbourne. In the past 10 years, pensioner incomes have increased by more than inflation and by more than the average growth in earnings. That puts pensioners in a better position when dealing with the recent increases in the cost of living.

Where we can take action to help the poorest with the rising cost of living, we are. On fuel bills, we announced last week that we are taking serious steps to enable energy companies to ensure that the most vulnerable pensioners have cheaper bills. For this winter, we have offered the energy companies the facility to send a mailshot or voucher to any of our clients on pension credit. That is coupled with the increase in the winter fuel payment announced in the Budget and the commitment of the energy suppliers to provide an extra £225 million in support over the next three years. That will provide significant extra support to the most vulnerable, enabling them to pay their fuel bills.

Of course, pensioners are concerned about council tax increases. That is why council tax benefit take-up is important. We are encouraged by the fact that since we have increased activity on take-up it has started to rise,

[Mr. Plaskitt]

going up by 2 per cent. in 2005-06. We need to go further and so we are introducing automaticity into the claiming of pensioner benefits. We estimate that that will lift 50,000 more pensioners out of poverty by 2010.

One of the most incredible aspects of the motion is what we have heard from the Conservatives about restoring the link between average earnings and the basic state pension. As my right hon. Friend the Member for Manchester, Gorton reminded us, the Tories broke that link and when they did so they said that it was the right thing to do. Clearly, they have no credibility whatsoever on the issue. We are committed to restoring that link, and of that there is no doubt, because we have enshrined it in law. Our aim is to re-link in 2012, subject to affordability and the fiscal position, so the latest that it could happen would be the end of the next Parliament. Restoring the link is part of a package of reforms. Unlike the Tories, we are not breaking the link or talking about restoring it for one Parliament only. We are making a commitment to do it for real and in a lasting and sustainable way. It will ensure that the poorest in our society benefit from significant increases in their income.

We then come to the claim about abandoning the target for pension credit take-up. That is old news, as we have established before. Last year, we had a stretching target to get 235,000 new claimants on to pension credit. All the indications are that we have exceeded that target, so for this year we have set an even more stretching target of 250,000. That shows our commitment to the poorest in society and to ensuring that we continue to make every effort to lift them out of poverty.

The motion moves on to make claims about the decline in private pension savings. That decline has been going on in the UK since the 1960s. In 1967, there were 8.1 million on such schemes. By the 1970s, there were 6 million, by the late 1980s there were 5.8 million and today there are 4.5 million. The reforms that we have introduced will ensure the best offer in the future for savings for pensioners.

The motion has been on the starting grid on a couple of occasions, only to be withdrawn for something else to be debated. The motion rather resembles one of the Tory party's old bangers; I suspect they got it ready to go a couple of times, took a look at it and thought, "Well, perhaps not—it doesn't really look very roadworthy." That is what we have found out today. Even with the hon. Member for Eastbourne (Mr. Waterson)—an advanced motorist—at the wheel, it could not be kept on the road. Bit by bit, it has fallen apart—

Mr. Patrick McLoughlin (West Derbyshire) (Con) *rose in his place and claimed to move,* That the Question be now put.

Question, That the Question be now put, *put and agreed to.*

Question put accordingly, That the original words stand part of the Question:—

The House proceeded to a Division.

Mr. Deputy Speaker (Sir Alan Haselhurst): I ask the Serjeant at Arms to investigate the delay in the No Lobby.

The House having divided: Ayes 213, Noes 284.

Division No. 209] **[6.59 pm**

AYES

Afriyie, Adam
Ainsworth, Mr. Peter
Amess, Mr. David
Ancram, rh Mr. Michael
Arbuthnot, rh Mr. James
Atkinson, Mr. Peter
Bacon, Mr. Richard
Baker, Norman
Baldry, Tony
Barker, Gregory
Baron, Mr. John
Barrett, John
Beith, rh Mr. Alan
Bellingham, Mr. Henry
Benyon, Mr. Richard
Bercow, John
Beresford, Sir Paul
Binley, Mr. Brian
Bone, Mr. Peter
Boswell, Mr. Tim
Brady, Mr. Graham
Brake, Tom
Brazier, Mr. Julian
Brokenshire, James
Brooke, Annette
Browne, Mr. Jeremy
Browning, Angela
Bruce, rh Malcolm
Burns, Mr. Simon
Burstow, Mr. Paul
Burt, Alistair
Butterfill, Sir John
Cable, Dr. Vincent
Campbell, rh Sir Menzies
Carmichael, Mr. Alistair
Carswell, Mr. Douglas
Cash, Mr. William
Clark, Greg
Clarke, rh Mr. Kenneth
Clegg, rh Mr. Nick
Clifton-Brown, Mr. Geoffrey
Conway, Derek
Cormack, Sir Patrick
Cox, Mr. Geoffrey
Crabb, Mr. Stephen
Davey, Mr. Edward
Davies, David T.C.
(Monmouth)
Davies, Philip
Davis, rh David *(Haltemprice and Howden)*
Djanogly, Mr. Jonathan
Dorries, Mrs. Nadine
Duddridge, James
Duncan, Alan
Duncan Smith, rh Mr. Iain
Dunne, Mr. Philip
Ellwood, Mr. Tobias
Evennett, Mr. David
Fabricant, Michael
Fallon, Mr. Michael
Farron, Tim
Featherstone, Lynne
Field, Mr. Mark
Foster, Mr. Don
Francois, Mr. Mark
Fraser, Christopher
Gale, Mr. Roger
Garnier, Mr. Edward
Gauke, Mr. David
George, Andrew
Gibb, Mr. Nick
Gidley, Sandra
Gillan, Mrs. Cheryl
Goldsworthy, Julia
Goodwill, Mr. Robert
Gove, Michael
Gray, Mr. James
Green, Damian
Greening, Justine
Gummer, rh Mr. John
Hague, rh Mr. William
Hammond, Mr. Philip
Hammond, Stephen
Hands, Mr. Greg
Harper, Mr. Mark
Harris, Dr. Evan
Harvey, Nick
Hayes, Mr. John
Heald, Mr. Oliver
Heath, Mr. David
Heathcoat-Amory, rh Mr. David
Hemming, John
Hendry, Charles
Hollobone, Mr. Philip
Holloway, Mr. Adam
Holmes, Paul
Horam, Mr. John
Horwood, Martin
Hosie, Stewart
Howard, rh Mr. Michael
Howarth, David
Hughes, Simon
Huhne, Chris
Hunter, Mark
Hurd, Mr. Nick
Jackson, Mr. Stewart
Jenkin, Mr. Bernard
Jones, Mr. David
Kawczynski, Daniel
Key, Robert
Kirkbride, Miss Julie
Knight, rh Mr. Greg
Laing, Mrs. Eleanor
Lamb, Norman
Lancaster, Mr. Mark
Lansley, Mr. Andrew
Laws, Mr. David
Leigh, Mr. Edward
Letwin, rh Mr. Oliver
Lewis, Dr. Julian
Lidington, Mr. David
Lilley, rh Mr. Peter
Llwyd, Mr. Elfyn
Luff, Peter
Mackay, rh Mr. Andrew
Maclean, rh David
Main, Anne
Maples, Mr. John
Mates, rh Mr. Michael
Maude, rh Mr. Francis
May, rh Mrs. Theresa
McIntosh, Miss Anne

McLoughlin, rh Mr. Patrick
Mercer, Patrick
Miller, Mrs. Maria
Moore, Mr. Michael
Moss, Mr. Malcolm
Mulholland, Greg
Mundell, David
Murrison, Dr. Andrew
O'Brien, Mr. Stephen
Öpik, Lembit
Ottaway, Richard
Paterson, Mr. Owen
Penning, Mike
Penrose, John
Price, Adam
Prisk, Mr. Mark
Pritchard, Mark
Randall, Mr. John
Redwood, rh Mr. John
Reid, Mr. Alan
Rennie, Willie
Rifkind, rh Sir Malcolm
Robathan, Mr. Andrew
Robertson, Angus
Robertson, Hugh
Rogerson, Dan
Rosindell, Andrew
Ruffley, Mr. David
Russell, Bob
Sanders, Mr. Adrian
Scott, Mr. Lee
Selous, Andrew
Shapps, Grant
Simmonds, Mark
Simpson, Mr. Keith
Smith, Sir Robert
Soames, Mr. Nicholas
Spelman, Mrs. Caroline
Spicer, Sir Michael
Spink, Bob
Spring, Mr. Richard
Stanley, rh Sir John
Steen, Mr. Anthony
Stuart, Mr. Graham
Stunell, Andrew
Swayne, Mr. Desmond
Swinson, Jo
Swire, Mr. Hugo
Syms, Mr. Robert
Tapsell, Sir Peter
Taylor, Mr. Ian
Taylor, Matthew
Taylor, Dr. Richard
Teather, Sarah
Thurso, John
Timpson, Mr. Edward
Tredinnick, David
Turner, Mr. Andrew
Tyrie, Mr. Andrew
Vaizey, Mr. Edward
Vara, Mr. Shailesh
Viggers, Peter
Villiers, Mrs. Theresa
Walker, Mr. Charles
Wallace, Mr. Ben
Waterson, Mr. Nigel
Watkinson, Angela
Webb, Steve
Weir, Mr. Mike
Whittingdale, Mr. John
Wiggin, Bill
Williams, Hywel
Williams, Mark
Williams, Mr. Roger
Williams, Stephen
Willis, Mr. Phil
Willott, Jenny
Wishart, Pete
Wright, Jeremy
Yeo, Mr. Tim
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Ayes:
Mr. Brooks Newmark and
Mr. Crispin Blunt

NOES

Ainger, Nick
Ainsworth, rh Mr. Bob
Allen, Mr. Graham
Anderson, Mr. David
Anderson, Janet
Armstrong, rh Hilary
Austin, Mr. Ian
Bailey, Mr. Adrian
Baird, Vera
Balls, rh Ed
Banks, Gordon
Barlow, Ms Celia
Battle, rh John
Beckett, rh Margaret
Begg, Miss Anne
Bell, Sir Stuart
Benn, rh Hilary
Benton, Mr. Joe
Berry, Roger
Betts, Mr. Clive
Blackman, Liz
Blackman-Woods, Dr. Roberta
Blears, rh Hazel
Blizzard, Mr. Bob
Blunkett, rh Mr. David
Borrow, Mr. David S.
Brennan, Kevin
Brown, Lyn
Brown, rh Mr. Nicholas
Brown, Mr. Russell
Browne, rh Des
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, rh Andy
Butler, Ms Dawn
Byers, rh Mr. Stephen
Byrne, Mr. Liam
Caborn, rh Mr. Richard
Cairns, David
Campbell, Mr. Ronnie
Cawsey, Mr. Ian
Challen, Colin
Chapman, Ben
Chaytor, Mr. David
Clapham, Mr. Michael
Clark, Ms Katy
Clark, Paul
Clarke, rh Mr. Charles
Clarke, rh Mr. Tom
Coaker, Mr. Vernon
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Frank
Cooper, Rosie
Cooper, rh Yvette
Corbyn, Jeremy
Cousins, Jim
Crausby, Mr. David
Cruddas, Jon
Cryer, Mrs. Ann
Cummings, John
Cunningham, Mr. Jim
Cunningham, Tony
David, Mr. Wayne
Davidson, Mr. Ian
Davies, Mr. Dai
Dean, Mrs. Janet
Denham, rh Mr. John
Devine, Mr. Jim
Dhanda, Mr. Parmjit
Dobson, rh Frank
Donohoe, Mr. Brian H.
Doran, Mr. Frank
Dowd, Jim
Drew, Mr. David
Eagle, Angela
Eagle, Maria
Efford, Clive
Ellman, Mrs. Louise
Ennis, Jeff
Farrelly, Paul
Field, rh Mr. Frank
Fisher, Mark
Fitzpatrick, Jim
Fiello, Mr. Robert
Flint, rh Caroline
Follett, Barbara
Foster, Mr. Michael
(Worcester)
Foster, Michael Jabez
(Hastings and Rye)
Francis, Dr. Hywel
Gapes, Mike
Gardiner, Barry
George, rh Mr. Bruce
Gerrard, Mr. Neil
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Mr. Roger
Goggins, Paul
Goodman, Helen
Griffith, Nia
Griffiths, Nigel
Gwynne, Andrew
Hain, rh Mr. Peter
Hall, Mr. Mike
Hall, Patrick
Hamilton, Mr. David
Hamilton, Mr. Fabian
Hanson, rh Mr. David
Harman, rh Ms Harriet
Harris, Mr. Tom
Havard, Mr. Dai
Healey, John
Hendrick, Mr. Mark
Hepburn, Mr. Stephen
Heppell, Mr. John
Hesford, Stephen
Hewitt, rh Ms Patricia
Hill, rh Keith
Hillier, Meg
Hodge, rh Margaret
Hodgson, Mrs. Sharon
Hoon, rh Mr. Geoffrey
Hope, Phil
Howarth, rh Mr. George
Howells, Dr. Kim
Hoyle, Mr. Lindsay
Hughes, rh Beverley
Humble, Mrs. Joan
Iddon, Dr. Brian
Illsley, Mr. Eric
Ingram, rh Mr. Adam
Irranca-Davies, Huw
Jenkins, Mr. Brian
Johnson, rh Alan
Johnson, Ms Diana R.
Jones, Helen
Jones, Mr. Kevan
Jones, Lynne
Jones, Mr. Martyn
Jowell, rh Tessa
Joyce, Mr. Eric
Kaufman, rh Sir Gerald
Keeble, Ms Sally
Keeley, Barbara
Keen, Alan
Keen, Ann
Kelly, rh Ruth
Kemp, Mr. Fraser
Kennedy, rh Jane
Khan, Mr. Sadiq
Kidney, Mr. David
Kilfoyle, Mr. Peter
Knight, Jim
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, Mr. David
Lazarowicz, Mark
Lepper, David
Levitt, Tom
Lewis, Mr. Ivan
Linton, Martin
Lloyd, Tony
Love, Mr. Andrew
Lucas, Ian
Mackinlay, Andrew
Mactaggart, Fiona
Mahmood, Mr. Khalid
Malik, Mr. Shahid
Mann, John
Marris, Rob
Marsden, Mr. Gordon
Marshall-Andrews, Mr. Robert
Martlew, Mr. Eric
McAvoy, rh Mr. Thomas
McCafferty, Chris
McCarthy-Fry, Sarah
McDonagh, Siobhain
McDonnell, John
McFadden, Mr. Pat
McFall, rh John
McGovern, Mr. Jim
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
McNulty, rh Mr. Tony
Meacher, rh Mr. Michael
Merron, Gillian
Michael, rh Alun
Milburn, rh Mr. Alan
Mitchell, Mr. Austin
Moffatt, Laura

Mole, Chris
Moon, Mrs. Madeleine
Moran, Margaret
Morgan, Julie
Morley, rh Mr. Elliot
Mudie, Mr. George
Mullin, Mr. Chris
Murphy, Mr. Denis
Murphy, Mr. Jim
Murphy, rh Mr. Paul
Norris, Dan
O'Brien, Mr. Mike
Olner, Mr. Bill
Osborne, Sandra
Owen, Albert
Palmer, Dr. Nick
Plaskitt, Mr. James
Pope, Mr. Greg
Pound, Stephen
Prentice, Bridget
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Mr. Ken
Purnell, rh James
Raynsford, rh Mr. Nick
Reed, Mr. Andy
Reid, rh John
Riordan, Mrs. Linda
Robertson, John
Robinson, Mr. Geoffrey
Rooney, Mr. Terry
Roy, Mr. Frank
Ruane, Chris
Ruddock, Joan
Russell, Christine
Salter, Martin
Sarwar, Mr. Mohammad
Sharma, Mr. Virendra
Shaw, Jonathan
Sheerman, Mr. Barry
Sheridan, Jim
Simon, Mr. Siôn
Simpson, Alan
Singh, Mr. Marsha
Skinner, Mr. Dennis
Slaughter, Mr. Andy
Smith, rh Mr. Andrew
Smith, Ms Angela C.
(Sheffield, Hillsborough)
Smith, Angela E. *(Basildon)*
Smith, Geraldine
Smith, rh Jacqui
Soulsby, Sir Peter
Southworth, Helen
Spellar, rh Mr. John
Starkey, Dr. Phyllis
Stewart, Ian
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Straw, rh Mr. Jack
Stringer, Graham
Stuart, Ms Gisela
Tami, Mark
Taylor, Ms Dari
Taylor, David
Thornberry, Emily
Tipping, Paddy
Todd, Mr. Mark
Touhig, rh Mr. Don
Trickett, Jon
Truswell, Mr. Paul
Turner, Dr. Desmond
Turner, Mr. Neil
Twigg, Derek
Vaz, rh Keith
Walley, Joan
Waltho, Lynda
Watson, Mr. Tom
Watts, Mr. Dave
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Mr. Alan
Wills, Mr. Michael
Wilson, Phil
Winnick, Mr. David
Wood, Mike
Woolas, Mr. Phil
Wright, Mr. Anthony
Wright, David
Wright, Mr. Iain
Wyatt, Derek

Tellers for the Noes:
Alison Seabeck and
Steve McCabe

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 31 (Questions on amendments)*:—

The House divided: Ayes 279, Noes 209.

Division No. 210] **[7.14 pm**

AYES

Ainger, Nick
Ainsworth, rh Mr. Bob
Allen, Mr. Graham
Anderson, Mr. David
Anderson, Janet
Armstrong, rh Hilary
Austin, Mr. Ian
Bailey, Mr. Adrian
Baird, Vera
Balls, rh Ed
Banks, Gordon
Barlow, Ms Celia
Battle, rh John
Beckett, rh Margaret
Begg, Miss Anne
Bell, Sir Stuart
Benn, rh Hilary
Benton, Mr. Joe
Berry, Roger
Betts, Mr. Clive
Blackman, Liz
Blackman-Woods, Dr. Roberta
Blears, rh Hazel
Blizzard, Mr. Bob
Blunkett, rh Mr. David
Borrow, Mr. David S.
Brennan, Kevin
Brown, Lyn
Brown, rh Mr. Nicholas
Brown, Mr. Russell
Browne, rh Des
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, rh Andy
Butler, Ms Dawn
Byers, rh Mr. Stephen
Byrne, Mr. Liam
Caborn, rh Mr. Richard
Cairns, David
Campbell, Mr. Ronnie
Cawsey, Mr. Ian
Challen, Colin
Chapman, Ben
Chaytor, Mr. David
Clapham, Mr. Michael
Clark, Ms Katy
Clark, Paul
Clarke, rh Mr. Charles
Clarke, rh Mr. Tom
Coaker, Mr. Vernon
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Frank
Cooper, Rosie
Cooper, rh Yvette
Corbyn, Jeremy
Cousins, Jim
Crausby, Mr. David
Cruddas, Jon
Cryer, Mrs. Ann
Cummings, John
Cunningham, Mr. Jim
Cunningham, Tony
David, Mr. Wayne
Davidson, Mr. Ian
Dean, Mrs. Janet
Denham, rh Mr. John
Devine, Mr. Jim
Dhanda, Mr. Parmjit
Dobson, rh Frank
Donohoe, Mr. Brian H.
Doran, Mr. Frank
Dowd, Jim
Drew, Mr. David
Eagle, Angela
Eagle, Maria
Efford, Clive
Ellman, Mrs. Louise
Ennis, Jeff
Farrelly, Paul
Field, rh Mr. Frank
Fisher, Mark
Fitzpatrick, Jim
Flello, Mr. Robert
Flint, rh Caroline
Follett, Barbara
Foster, Mr. Michael
(Worcester)
Foster, Michael Jabez
(Hastings and Rye)
Francis, Dr. Hywel
Gapes, Mike
Gardiner, Barry
George, rh Mr. Bruce
Gerrard, Mr. Neil
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Mr. Roger
Goggins, Paul
Goodman, Helen
Griffith, Nia
Griffiths, Nigel
Gwynne, Andrew
Hain, rh Mr. Peter
Hall, Mr. Mike
Hall, Patrick
Hamilton, Mr. David
Hanson, rh Mr. David
Harris, Mr. Tom
Havard, Mr. Dai
Healey, John
Hendrick, Mr. Mark
Hepburn, Mr. Stephen
Heppell, Mr. John
Hesford, Stephen
Hewitt, rh Ms Patricia
Hill, rh Keith
Hillier, Meg
Hodge, rh Margaret
Hodgson, Mrs. Sharon
Hoon, rh Mr. Geoffrey
Hope, Phil
Howarth, rh Mr. George
Howells, Dr. Kim
Hoyle, Mr. Lindsay
Hughes, rh Beverley
Humble, Mrs. Joan
Iddon, Dr. Brian
Ingram, rh Mr. Adam
Irranca-Davies, Huw
Jenkins, Mr. Brian
Johnson, rh Alan
Johnson, Ms Diana R.
Jones, Helen
Jones, Mr. Kevan
Jones, Lynne
Jones, Mr. Martyn
Jowell, rh Tessa
Joyce, Mr. Eric
Kaufman, rh Sir Gerald
Keeble, Ms Sally
Keeley, Barbara
Keen, Alan
Keen, Ann
Kelly, rh Ruth
Kemp, Mr. Fraser
Kennedy, rh Jane
Khan, Mr. Sadiq
Kidney, Mr. David
Kilfoyle, Mr. Peter
Knight, Jim
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, Mr. David
Lazarowicz, Mark
Lepper, David
Levitt, Tom
Lewis, Mr. Ivan
Linton, Martin
Lloyd, Tony
Love, Mr. Andrew
Lucas, Ian
Mackinlay, Andrew
Mactaggart, Fiona
Mahmood, Mr. Khalid
Malik, Mr. Shahid
Mann, John

Marris, Rob
Marsden, Mr. Gordon
Marshall-Andrews, Mr. Robert
Martlew, Mr. Eric
McAvoy, rh Mr. Thomas
McCafferty, Chris
McCarthy-Fry, Sarah
McDonagh, Siobhain
McDonnell, John
McFadden, Mr. Pat
McFall, rh John
McGovern, Mr. Jim
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
McNulty, rh Mr. Tony
Meacher, rh Mr. Michael
Merron, Gillian
Michael, rh Alun
Milburn, rh Mr. Alan
Mitchell, Mr. Austin
Moffatt, Laura
Mole, Chris
Moon, Mrs. Madeleine
Moran, Margaret
Morgan, Julie
Morley, rh Mr. Elliot
Mudie, Mr. George
Mullin, Mr. Chris
Murphy, Mr. Denis
Murphy, Mr. Jim
Murphy, rh Mr. Paul
Norris, Dan
O'Brien, Mr. Mike
Olner, Mr. Bill
Osborne, Sandra
Owen, Albert
Palmer, Dr. Nick
Plaskitt, Mr. James
Pope, Mr. Greg
Pound, Stephen
Prentice, Bridget
Primarolo, rh Dawn
Prosser, Gwyn
Purnell, rh James
Raynsford, rh Mr. Nick
Reed, Mr. Andy
Reid, rh John
Riordan, Mrs. Linda
Robertson, John
Robinson, Mr. Geoffrey
Rooney, Mr. Terry
Roy, Mr. Frank
Ruane, Chris
Ruddock, Joan
Russell, Christine
Salter, Martin
Sarwar, Mr. Mohammad
Sharma, Mr. Virendra
Shaw, Jonathan
Sheerman, Mr. Barry
Sheridan, Jim
Simon, Mr. Siôn
Simpson, Alan
Singh, Mr. Marsha
Skinner, Mr. Dennis
Slaughter, Mr. Andy
Smith, rh Mr. Andrew
Smith, Ms Angela C. *(Sheffield, Hillsborough)*
Smith, Angela E. *(Basildon)*
Smith, Geraldine
Smith, rh Jacqui
Soulsby, Sir Peter
Southworth, Helen
Spellar, rh Mr. John
Starkey, Dr. Phyllis
Stewart, Ian
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Straw, rh Mr. Jack
Stringer, Graham
Stuart, Ms Gisela
Tami, Mark
Taylor, Ms Dari
Taylor, David
Thornberry, Emily
Tipping, Paddy
Todd, Mr. Mark
Touhig, rh Mr. Don
Trickett, Jon
Truswell, Mr. Paul
Turner, Dr. Desmond
Turner, Mr. Neil
Twigg, Derek
Vaz, rh Keith
Walley, Joan
Waltho, Lynda
Watson, Mr. Tom
Watts, Mr. Dave
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Mr. Alan
Wills, Mr. Michael
Wilson, Phil
Winnick, Mr. David
Wood, Mike
Woolas, Mr. Phil
Wright, Mr. Anthony
Wright, David
Wright, Mr. Iain
Wyatt, Derek

Tellers for the Ayes:

Steve McCabe and
Alison Seabeck

NOES

Afriyie, Adam
Ainsworth, Mr. Peter
Amess, Mr. David
Ancram, rh Mr. Michael
Arbuthnot, rh Mr. James
Atkinson, Mr. Peter
Bacon, Mr. Richard
Baker, Norman
Barker, Gregory
Baron, Mr. John
Barrett, John
Beith, rh Mr. Alan
Bellingham, Mr. Henry
Benyon, Mr. Richard
Bercow, John
Beresford, Sir Paul
Binley, Mr. Brian
Boswell, Mr. Tim
Brady, Mr. Graham
Brake, Tom
Brazier, Mr. Julian
Brokenshire, James
Brooke, Annette
Browne, Mr. Jeremy
Browning, Angela
Bruce, rh Malcolm
Burns, Mr. Simon
Burstow, Mr. Paul
Burt, Alistair
Butterfill, Sir John
Cable, Dr. Vincent
Campbell, rh Sir Menzies
Carmichael, Mr. Alistair
Carswell, Mr. Douglas
Cash, Mr. William
Clark, Greg
Clarke, rh Mr. Kenneth
Clegg, rh Mr. Nick
Clifton-Brown, Mr. Geoffrey
Conway, Derek
Cormack, Sir Patrick
Cox, Mr. Geoffrey
Crabb, Mr. Stephen
Davey, Mr. Edward
Davies, Mr. Dai
Davies, David T.C. *(Monmouth)*
Davies, Philip
Davis, rh David *(Haltemprice and Howden)*
Djanogly, Mr. Jonathan
Dorries, Mrs. Nadine
Duddridge, James
Duncan, Alan
Duncan Smith, rh Mr. Iain
Dunne, Mr. Philip
Ellwood, Mr. Tobias
Evennett, Mr. David
Fabricant, Michael
Fallon, Mr. Michael
Farron, Tim
Foster, Mr. Don
Francois, Mr. Mark
Fraser, Christopher
Gale, Mr. Roger
Garnier, Mr. Edward
Gauke, Mr. David
George, Andrew
Gibb, Mr. Nick
Gidley, Sandra
Gillan, Mrs. Cheryl
Goldsworthy, Julia
Goodwill, Mr. Robert
Gove, Michael
Gray, Mr. James
Green, Damian
Greening, Justine
Grieve, Mr. Dominic
Gummer, rh Mr. John
Hague, rh Mr. William
Hammond, Mr. Philip
Hammond, Stephen
Hands, Mr. Greg
Harper, Mr. Mark
Harris, Dr. Evan
Harvey, Nick
Hayes, Mr. John
Heath, Mr. David
Heathcoat-Amory, rh Mr. David
Hemming, John
Hendry, Charles
Hollobone, Mr. Philip
Holloway, Mr. Adam
Holmes, Paul
Horam, Mr. John
Horwood, Martin
Hosie, Stewart
Howard, rh Mr. Michael
Howarth, David
Hughes, Simon
Huhne, Chris
Hunter, Mark
Hurd, Mr. Nick
Jackson, Mr. Stewart
Jenkin, Mr. Bernard
Jones, Mr. David
Kawczynski, Daniel
Key, Robert
Kirkbride, Miss Julie
Knight, rh Mr. Greg
Laing, Mrs. Eleanor
Lamb, Norman
Lancaster, Mr. Mark
Lansley, Mr. Andrew
Laws, Mr. David
Leigh, Mr. Edward
Letwin, rh Mr. Oliver
Lewis, Dr. Julian
Lidington, Mr. David
Lilley, rh Mr. Peter
Llwyd, Mr. Elfyn
Luff, Peter
Mackay, rh Mr. Andrew
Maclean, rh David
Main, Anne
Maples, Mr. John
Mates, rh Mr. Michael
Maude, rh Mr. Francis
May, rh Mrs. Theresa
McIntosh, Miss Anne
McLoughlin, rh Mr. Patrick
Mercer, Patrick
Miller, Mrs. Maria
Moore, Mr. Michael
Moss, Mr. Malcolm
Mulholland, Greg
Mundell, David
O'Brien, Mr. Stephen
Öpik, Lembit
Ottaway, Richard
Paterson, Mr. Owen
Penning, Mike
Penrose, John
Price, Adam
Prisk, Mr. Mark
Pritchard, Mark
Randall, Mr. John
Redwood, rh Mr. John
Reid, Mr. Alan
Rennie, Willie
Rifkind, rh Sir Malcolm
Robathan, Mr. Andrew
Robertson, Angus
Robertson, Hugh
Rogerson, Dan
Rosindell, Andrew
Ruffley, Mr. David
Russell, Bob
Sanders, Mr. Adrian
Scott, Mr. Lee
Selous, Andrew
Shapps, Grant
Simmonds, Mark
Simpson, Mr. Keith
Smith, Sir Robert

Soames, Mr. Nicholas
Spelman, Mrs. Caroline
Spicer, Sir Michael
Spink, Bob
Spring, Mr. Richard
Stanley, rh Sir John
Steen, Mr. Anthony
Stuart, Mr. Graham
Stunell, Andrew
Swayne, Mr. Desmond
Swinson, Jo
Swire, Mr. Hugo
Syms, Mr. Robert
Tapsell, Sir Peter
Taylor, Mr. Ian
Taylor, Matthew
Taylor, Dr. Richard
Teather, Sarah
Thurso, John
Timpson, Mr. Edward
Tredinnick, David
Turner, Mr. Andrew
Tyrie, Mr. Andrew
Vaizey, Mr. Edward
Vara, Mr. Shailesh
Viggers, Peter
Villiers, Mrs. Theresa
Walker, Mr. Charles
Wallace, Mr. Ben
Waterson, Mr. Nigel
Watkinson, Angela
Webb, Steve
Weir, Mr. Mike
Whittingdale, Mr. John
Wiggin, Bill
Williams, Hywel
Williams, Mark
Williams, Mr. Roger
Williams, Stephen
Willis, Mr. Phil
Willott, Jenny
Wishart, Pete
Wright, Jeremy
Yeo, Mr. Tim
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Noes:
Mr. Crispin Blunt and
Mr. Brooks Newmark

Question accordingly agreed to.

MR. DEPUTY SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House welcomes the policies of this Government to tackle pensioner poverty, which have lifted around two million pensioners out of absolute poverty and over one million out of relative poverty, and have led to spending of around £12 billion extra on pensioners compared with 1997; recognises that pension credit allows pensioners to live with dignity and rewards those who have saved for their own retirement; acknowledges the introduction of and increases to the winter fuel payment and further measures to ensure pensioners can keep warm; notes the provision of free off-peak bus travel granting freedom to pensioners and ensuring that they are not isolated in their own community; welcomes the long-term framework for pensions through the Pensions Act 2007, including relinking the basic state pension to average earnings and ensuring equality for women and carers with men by 2025; and further welcomes the private pension reforms in the Pensions Bill which will enable individuals to take personal responsibility for their own retirement.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Delegated Legislation Committees),

CONSTITUTIONAL LAW

That the draft Welsh Ministers (Transfer of Functions) Order 2008, which was laid before this House on 22nd April, be approved.—*[Mr. Watts.]*

Question agreed to.

ADJOURNMENT (SUMMER)

Motion made, and Question put forthwith, pursuant to Standing Order No.25, (Periodic adjournments),

That this House, at its rising on Tuesday 22nd July 2008, do adjourn till Monday 6th October 2008.—*[Mr. Watts.]*

Question agreed to.

NOTICES OF QUESTIONS ETC DURING SEPTEMBER 2008

Motion made, and Question put forthwith, pursuant to Standing Order No.22B(2), (Notices of Questions etc. during September),

That the days appointed for the tabling and answering of written questions and for written ministerial statements under Standing Order No. 22B (Notices of questions etc. during September) shall be as follows:

Tabling days

Wednesday 3rd, Monday 8th and Wednesday 10th September 2008

Answering days

Wednesday 10th, Monday 15th and Wednesday 17th September 2008.—*[Mr. Watts.]*

Question agreed to.

DRAFT CONSTITUTIONAL RENEWAL BILL (JOINT COMMITTEE)

Resolved,

That this House concurs with the Lords Message of 2nd June that, notwithstanding the Resolution of this House of 30th April, it be an instruction to the Joint Committee on the Draft Constitutional Renewal Bill that it should report on the draft Bill by 22nd July.—*[Mr. Watts.]*

BUSINESS OF THE HOUSE

Ordered,

That, at the sitting on Thursday 12th June, notwithstanding Standing Order No. 20 (Time for taking private business), opposed private business set down by the Chairman of Ways and Means may be entered upon at any hour and may be proceeded with, though opposed, for three hours, after which the Speaker shall interrupt the business.—*[Mr. Watts.]*

PETITIONS

Window Blind Safety

7.27 pm

Gordon Banks (Ochil and South Perthshire) (Lab): I thank you, Mr. Deputy Speaker for giving me the opportunity to present this petition of 3,500 signatures on behalf of my constituents in Ochil and South Perthshire calling for a redesign of the looped cord operation design for window blinds.

The petition states:

The Petition of readers of the Alloa and Hillfoots Advertiser and others of like disposition,

Declares that looped operating cords on window blinds are dangerous, particularly to young children, as the tragic death of Menstrie toddler Muireann McLaughlin in February 2008 and similar tragic deaths of children in the UK demonstrates. The Government should take all necessary actions to prevent further unnecessary deaths in the future.

The Petitioners therefore request that the House of Commons urges the Government to bring forward legislation banning looped operating cords on window blinds and curtains.

And the Petitioners remain, etc.,

[P000192]

Road Safety (A5 Chequers Hill)

7.28 pm

Mike Penning (Hemel Hempstead) (Con): I rise to deliver a public petition on behalf of the residents of Flamstead in my constituency. It contains more than 500 signatures, which represents the vast majority of the residents of Flamstead, who are affected by the dangerous intersection with the A5 at Chequers Hill.

The petition is long, so I will not read it in full, but it declares that the situation is causing distress and fear to local residents because of the high number of reported and unreported accidents that occur daily. Traffic congestion of between 17 and 33 vehicles is backed up between Chequers Hill and the A5, especially when residents are trying to turn right on to the A5.

It further declares that an agreement that this junction is a special case and that traffic lights be installed is requested by my constituents, who ask that the House of Commons urges the Secretary of State for Transport to find ways and means of providing traffic-light controlled systems at this dangerous junction, as recommended in the A5 Chequers Hill review study, carried out on behalf of the Highways Agency, works order no. 96525, in July 2007.

Following is the full text of the petition:

[The Petition of those concerned about the intersection of the A5/Chequers hill, Flamstead,

Declares that they live in the vicinity of a dangerous intersection (A5/Chequers Hill, Flamstead), which they are forced to use in order to gain access to Harpenden, St. Albans, Hemel Hempstead, Luton and Dunstable for reasons of employment, travel, medical care and shopping. While they understand that a traffic light scheme may not rate highly in the value for money criteria normally employed when assessing road improvement schemes, but submit that, in this case, the normal criteria should be tempered by the knowledge that it involves the fifth most important trunk road in the country which, at this point, is accommodating traffic that has just left the M1 motorway and, despite a 50 mph speed limit, is travelling at killing speed. Further confusion is caused by vehicles whose direction indicators have not been cancelled after turning left at this point. This has encouraged frustrated motorists to pull out onto the A5 in front of them.

Further declares that the situation is causing distress and fear to local residents by reason of the high number of unreported "damage only" accidents that occur and the high number of "near misses". Traffic congestion of between 17 and 33 vehicles backed up between Chequers Hill and waiting to join the A5 at this point have been noted between 8 am and 8.30 am on many mornings.

Further declares that agreement to treat this junction as a special case and install traffic lights would have a significant and positive effect on the well being of residents of this area and on through traffic on the A5.

The Petitioners therefore request that the House of Commons urges the Secretary of State for Transport to find ways and means of providing a traffic light controlled system at this dangerous junction, as recommended in the A5 Chequers Hill Review Study, carried out on behalf of the Highways Agency (Works Order No. 96525), by Carillion URS in July 2007.

And the Petitioners remain, etc.]

[P000187]

Post Office Closures (Staffordshire)

7.30 pm

Mrs. Janet Dean (Burton) (Lab): I am grateful for the opportunity this evening to present three petitions. Many of my constituents who are residents of Stapenhill, Marchington and Mayfield are deeply concerned about the future of their post offices, and more than 400 people attended the three public meetings I organised to oppose the closure of three of the five post offices in my constituency that Post Office Ltd wishes to close.

The first petition is from the village of Mayfield and bears 273 signatures.

The petition states:

The Petition of supporters of the 'Keep Mayfield Post Office Open' campaign,

Declares that the supporters recognise the importance of the Post Office and shop to their community and oppose the current closure plan.

The Petitioners therefore request that the House of Commons urges the Secretary of State for Business, Enterprise and Regulatory Reform to instruct Post Office Ltd to keep Mayfield Post Office open

And the Petitioners remain, etc.

[P000205]

The second petition is from the residents of Marchington and bears 520 signatures.

The petition states:

The Petition of supporters of the 'Keep Marchington Post Office Open' campaign,

Declares that the supporters recognise the importance of the Post Office and shop to their community and oppose the current closure plan.

The Petitioners therefore request that the House of Commons urges the Secretary of State for Business, Enterprise and Regulatory Reform to instruct Post Office Ltd to keep Marchington Post Office open.

And the Petitioners remain, etc.

[P000204]

Finally, 1,827 local people have petitioned to support the retention of Stapenhill post office.

The petition states:

The Petition of supporters of the 'Keep Stapenhill Post Office Open' campaign,

Declares that the supporters recognise the importance of the Post Office to their community and oppose the current closure plan.

The Petitioners therefore request that the House of Commons urges the Secretary of State for Business, Enterprise and Regulatory Reform to instruct Post Office Ltd to keep Stapenhill Post Office open.

And the Petitioners remain, etc.

[P000203]

Internet Regulation

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Watts.]*

7.32 pm

John Robertson (Glasgow, North-West) (Lab): I am pleased to have the chance to discuss internet content and internet service providers with my hon. Friend the Minister for Energy, not least because I have been trying to secure this debate for several months. I know that, like me, many of my colleagues regularly receive correspondence from constituents who are worried about internet content, and I have been especially keen to discuss those matters following the Byron review, but on several occasions I have been told by the Table Office that there is no Department appropriate to field such a debate. The strategy of representatives of each Department that we tried to assign it to has been to hold up its hands in affront and deny any responsibility for the matter.

My worry is that that is an allegory of the current situation relating to responsibility for internet content, and that the excuse is, sadly, endemic. ISPs claim to be mere inanimate conduits; search engines plead their neutrality; Ofcom has intentionally been denied any remit for content; other UK Executive and regulatory bodies, including the police, have powers over only a tiny minority of websites; and the Internet Watch Foundation is limited in the subjects it monitors and by the international nature of the internet. As a result, the various initiatives that have been implemented are piecemeal and inadequate, and the internet stands out as an anomaly against similar media as a place where, essentially, anything goes. It is a paradox that the efforts of ISPs to deal with illegal content are a strong argument for regulating them, as we see that the tools they have are the most effective method of controlling material online.

Before outlining my case, I should state that, as joint-chairman of the all-party communications group, I am a fully fledged internet enthusiast. I welcome the fact that just under 60 per cent. of households in the UK now have broadband, although I am disappointed that my own city, Glasgow, has the lowest uptake.

Even in the space of a decade, the internet has revolutionised the way many people live, from accessing information to socialising. Across the world, it has been an empowering and democratising force. I do not doubt that freedom for the network is important to its continuing evolution and, in that respect, our approach to regulating the internet in the UK will set an important precedent.

However, because the internet has come so far, we need to regulate content. What was originally a network that was exclusively confined to communications for the American military establishment is now in the majority of homes across the country and in three quarters of households with children. Furthermore, there is an increasing blurring of the distinctions between the internet and the traditional media and means of accessing services. Two examples are that half of all internet users have watched video online, and that BBC iPlayer has a weekly audience of around 1.1 million.

In the light of those trends, the argument that the Government previously used to justify inaction—that there is a tradition of non-regulation of the internet—surely becomes untenable. Together with the benefits of the internet, there has been a range of tangible negative effects for the UK. The Medicines and Healthcare products Regulatory Agency and Revenue and Customs have both attributed a vast increase in counterfeit medicines to websites selling illegal drugs. The BPI has calculated that around £160 million was lost by the music industry through illegal downloads in 2007, and NBC Universal estimates that online piracy costs film and TV businesses £129 million a year. Those are coupled with less tangible effects, for instance, the increased availability of extremist and hate-inciting literature, or of young people being exposed to pro-disorder and suicide websites.

Mrs. Madeleine Moon (Bridgend) (Lab): Does my hon. Friend agree that some of the sites about suicide are truly evil? They not only encourage, urge, assist and facilitate people to take their lives, but distract especially youngsters from finding the help, advice and guidance that would enable them to live full and productive lives. We must find some way of monitoring and closing them.

John Robertson: I thank my hon. Friend for her input. I know that her constituency has suffered more than most through young people committing suicide. It is the Government's duty to consider that and try to do something to help prevent people from committing suicide for some unknown reason, which makes them think that it is all right to do that.

As I have already said, no executive body in the UK covers content on the internet. The Government—wrongly in my opinion—purposely decided not to assign such a task to Ofcom in the Communications Bill in 2002.

Derek Wyatt (Sittingbourne and Sheppey) (Lab): I thank my hon. Friend and co-chair of the all-party communications group for giving way. Does he agree that Ofcom could be charged with leading the intellectual debate at the G8 in the next couple of months? The G8 has no IT remit, yet we could offer a world lead on the matter.

John Robertson: I thank my hon. Friend and colleague for his input. He is right that we should show a lead in the world. We have an opportunity to try to put something straight and I hope that the rest of my contribution will explain how and where that should happen.

One reason that was given for the Government's decision not to regulate content at the time was that the general law of the UK applies to the internet. A declaration, which seems slightly naive in retrospect, was made that,

> "what is illegal off-line is illegal online".

However, the real difficulty with the internet is that what is illegal and enforced in one place often bears little relation to what is illegal and enforced in another.

The existing law applies to websites that are hosted here, which means, for instance, that an online pharmacy hosted in the UK will need to comply with the same rules by which a high street pharmacy abides. However, those that are outside our jurisdiction will be free to continue as they wish. That is why we see websites based in the South Pacific, often with misleading "dot co dot uk" addresses, selling prescription drugs without the normal safeguards.

Alongside the general law, internet service providers, which are not required to have a licence to operate in the UK, have a self-regulatory regime for content. The fulcrum for that is the Internet Watch Foundation, which provides a notification service of illegal content to ISPs under three headings: child sex abuse images hosted anywhere in the world; criminally obscene content hosted in the UK; and incitement to racial hatred content hosted in the UK. The IWF has a hotline for members of the public and maintains a list of websites with material under those three headings that are potentially illegal. It instructs, albeit without sanction, the relevant host ISP to take down the website and refers details to the police. In the case of child abuse websites outside the UK, the IWF notifies the relevant national enforcement agencies where they are hosted.

It is important to note that although the IWF does not require ISPs to block content not hosted by them, some providers have undertaken to do this, such as BT, whose Cleanfeed programme blocks child abuse websites on the IWF list. The effect of that is to prevent BT customers from accessing such material, even when it is hosted outside the UK.

To return to the general law, the final facet that I should mention is the liability of ISPs. The e-commerce regulations of 2002 prevent liability for content unless, first, the ISP has been made aware of both its presence and its illegal or tortious nature and, secondly, the ISP is storing the information in some way, either through hosting or caching. As far as I am aware, the liability of ISPs for content has been tested only in a handful of defamation cases, and those only where the material had been hosted by the respective server in the UK.

That brief outline should make it clear that the regime for content—or, rather, the lack of a regime—leaves huge gaps. The most important and extensive of those is the fact that, for any material not hosted in the UK, including child abuse images, we are reliant on other countries being both prepared and able to shut down websites or specific pages. According to the IWF, less than 1 per cent. of potentially criminal content appearing online since 2003 has been hosted in the UK, so the general law and the self-regulatory approach reach only the tip of the iceberg. That is clearly not good enough. We must do far better.

The figures from the IWF are also interesting in that they show that around one fifth of the child abuse sites that it reports to other countries' regulatory agencies remain online for more than 50 days, and sometimes for up to 100 days, after being passed on. When we have the ability to block access to such sites, with programmes such as Cleanfeed, it is hard to understand why the Government have not been more demanding. Furthermore, as I have said, much of the material that would be illegal if hosted in the UK will be perfectly legal elsewhere. Many countries have far broader rights to freedom of speech and no prohibitions on inciting racial or religious hatred, and are far more lax when it comes to rules on obscenity.

The second limitation is that the IWF covers a narrow range of topics. There is no organisation concerned with general online content in the UK and, with billions of web pages worldwide and millions hosted in the UK, it is unrealistic to expect anything other than piecemeal control from UK Executive bodies with other priorities. Finally, the IWF and the general law are concerned only with what is illegal or tortious online, whereas many of my constituents have expressed concerns to me about material that is either harmful or offensive, such as that which my hon. Friend the Member for Bridgend (Mrs. Moon) mentioned.

I would like to ask the Minister: how is it that we have heavily regulated content on TV, but we leave parents to police the internet and stand over their children while they use it? When it comes to illegal content at least, I would urge the Minister to place the responsibility on the ISPs. As the gatekeepers to the internet and, most importantly, being based in the UK, they are the obvious candidates to deal with such material. That is gradually being recognised across the world, with regulation in Australia and China and the Olivennes agreement in France.

Indeed, while the IWF system in the UK is cited by ISPs as a reason for not regulating them, it shows that the most effective way of tackling illegal content is to have service providers take it down and block it. With only a minute fraction of illegal content being hosted in the UK, any solution that is limited by our borders and jurisdiction is really no solution at all to the problems of the internet. The only thing we can really do is require ISPs to block that illegal content regardless of where it is hosted. If we do not do that, I ask the Minister, how can our efforts to tackle a host of crimes such as inciting religious or racial hatred possibly be taken seriously? If China and Australia can do it, why cannot we?

The objection that is often raised to that is that ISPs simply cannot filter or monitor content. In the light of that, it is interesting to note that network providers in France have undertaken to assess whether they will be able to implement such technology to tackle copyright infringement. But we need not be so burdensome to have an effective regime.

The IWF system of notification and takedown orders could form the basis of a broader system for tackling content, whereby ISPs would be required to block material in breach of the law that they were notified of. The Minister would no doubt ask how such a body could be resourced and funded, but I do not see that as an insurmountable problem. In negotiations between ISPs and the music industry, the rights holders are suggesting that they would take on policing and monitoring content.

While ISPs may not be responsible for producing and editing content that appears on their servers, they are the only ones with the power to deal with it, so why do the Government not force them to do so with a licensing regime? There has been movement from the Government on internet-based crimes such as grooming, which makes it bizarre that what would be illegal content in any other sphere is left unfettered simply because it appears online. The Department for Culture, Media and Sport has also announced that ISPs will face regulation in 2009 unless they take action on copyright infringement, but that is too late—we needed it yesterday—and far too limited.

At the start of my speech, I mentioned that the Government decided during consideration of the last

[John Robertson]

Communications Bill to exclude content from Ofcom's remit, and we have reaped what we sowed. The problem has grown since. With the possibility of a new communications Bill being introduced in the next Parliament, it is clear that we now have the technology to control content. The only remaining questions are whether we have the will power and the common sense.

Since Monday morning, when everyone working in public affairs suddenly realised that Parliament might still be relevant after the recess, my office has been inundated with queries about this topic, wondering what I would be calling for. Those people clearly recognise how important this matter is. Perhaps the Government, now that a Department has finally been found to respond to this debate, should do so too.

7.48 pm

The Minister for Energy (Malcolm Wicks): My hon. Friend the Member for Glasgow, North-West (John Robertson) has raised a most important issue and I pay tribute to him for his excellent work in this area. This is a matter of common concern to many different parts of the Government, and the way we respond to it will be important in ensuring the safe enjoyment of the internet by users.

My hon. Friend talked about the work of the Internet Watch Foundation, and I pay tribute to what it does, as well as to the way that the internet service provider community and others work with it to seek to ensure that such repugnant material is not available in the UK.

In many ways, it could be argued that the IWF is a model of how self-regulation can work. However, as my hon. Friend stated, it has limitations. As we have heard, it has a specific remit to deal with child sexual abuse content hosted worldwide, and criminally obscene and incitement to racial hatred content hosted in the UK. ISPs act promptly on information received by the IWF to take down or block access to sites carrying such material. The problem with extending the IWF model to other areas, such as copyright or the promotion of suicide, is that the issues are far less clear-cut and open to legal challenge. I assure my hon. Friend the Member for Bridgend (Mrs. Moon) that I shall say more about issues involving suicide later in my speech.

The IWF does not want its remit to be extended to other areas, and there are good reasons for that. In the case of activities that are unambiguously illegal and recognised in all jurisdictions as unacceptable, it is relatively straightforward to maintain the collaboration that makes that system work. If more equivocal content were brought into the scope of the IWF's remit, it would be difficult to command the support of all who need to be engaged. So what can we do? I agree that the world has moved on since the Communications Act 2003. It would be very odd if things had not changed in five years in such a high-tech area, and the Government have already embarked on consideration of what those changes mean for the future regulation of content, whether it is broadcast, sent to a mobile phone or sent to a computer.

This is a market in which the services offered to consumers move very fast, but change for change's sake, or simply reacting to what the position is now, is not the way in which to ensure that the United Kingdom remains competitive. We need to anticipate how the online world will develop, and plan accordingly. That is why the Government set up a convergence think tank to examine the impact of convergence on the United Kingdom communications market and its implications for future policy, regulatory and legislative frameworks in relation to broadcasting and telecommunications, and the online world or the internet. We expect the think tank to report to the Secretaries of State for Business, Enterprise and Regulatory Reform and for Culture, Media and Sport early in 2009, and they may recommend new legislation if it seems necessary.

However, some of the issues raised by my hon. Friend the Member for Glasgow, North-West are too urgent to be dealt with on that time scale. I am thinking of harmful and antisocial content on the internet which is unsuitable for some categories of users, such as children. Those are highly important issues. That is why the Prime Minister asked Dr. Tanya Byron to conduct an independent review of the risks posed to children by exposure to potentially harmful or inappropriate material on the internet and in video games, and that is why we accepted all Dr. Byron's recommendations without condition.

It is worth repeating that the Byron review recognised the enormous benefits of the internet, whose technology offers children—and adults—new opportunities for communication, participation and creativity to a degree never witnessed before. It can help children to improve some of the skills that are so crucial to their cognitive development. Inherent in those benefits is the ability to overcome many of the disadvantages and inequalities of real life, which has led some to hail the internet as providing the means to a more democratic media environment. That is the other side of the balance sheet.

Derek Wyatt: Will my hon. Friend give way?

Malcolm Wicks: I will in a moment.

However, along with the benefits come risks. We welcome Dr. Byron's recommendations, and her analysis of how we can properly manage those risks in a fast-changing new media environment. Later this month, the Government will publish an action plan for implementation of Dr. Byron's report. We intend to launch the United Kingdom council on child internet safety in September 2008, six months ahead of her recommended time scale.

Derek Wyatt: I was going to ask the Minister what the timetable was. He has not yet said what it is; he has merely said that he will publish an action plan.

Malcolm Wicks: I thought I had just specified the timetable. We will publish the plan in September 2008, after which we will establish what action is required.

I agree with my hon. Friend the Member for Glasgow, North-West that these are important issues, and if he has found it difficult to obtain a departmental response, I apologise. As a Department, we want to engage fully with Members on the issue. It is vital that we ensure that the regulatory framework as it applies to the internet keeps up with changes in the technology, and with changes in the way in which people use it. The Government are acting to secure the protection of children through the Byron review, and getting the long-term framework right by means of the convergence think tank.

I think it important—my hon. Friend referred to this—to stick to the principle that what is illegal offline is illegal online. Enforcement online might be much more difficult than offline, especially where those engaging in illegal activity are based outside this country, but that is no reason to apply different approaches to what is and is not allowed, in particular when it comes to content that is considered undesirable rather than illegal.

My hon. Friend has called for a widely applicable solution based on blocking unpleasant or unlawful internet sites, based on the model of the Internet Watch Foundation. Network level blocking presents some difficulties. In reducing access to such material, we would need to weigh up the costs and potential difficulties against the evidence of benefits, and to compare its potential effectiveness against other options, such as improving filtering tools and pointing people towards sources of support and other positive material.

My hon. Friend the Member for Bridgend raised the distressing issue of suicide websites, and the tragedies that have occurred in her own community. What is being done to protect people from websites that encourage suicide? The Government are deeply concerned about those websites and the influence that they can have on vulnerable people and, particularly, young people. We have accepted the recommendations of the Byron review, including that the new UK council on child internet safety look at whether the law on harmful and inappropriate online material could usefully be clarified, and that appropriate enforcement responses be explored. The Ministry of Justice is looking urgently at whether the law in that area could sensibly be strengthened, and will make an announcement shortly.

Mr. John Whittingdale (Maldon and East Chelmsford) (Con): Will the Minister address a point that was raised by the hon. Member for Glasgow, North-West (John Robertson) on liability? The Select Committee was told by YouTube that, if it attempted to pre-screen material before it appeared on the site, it would potentially become legally liable for any inappropriate material that was posted. If that is the case, it is surely perverse that the law should make such sites more vulnerable for trying to do the right thing than for sitting back and doing nothing.

Malcolm Wicks: I do not claim to be an expert on the law in that area, but, prima facie, that would seem perverse. I shall draw the hon. Gentleman's question to the attention of my colleagues in the Ministry of Justice who are, as I have said, looking into these issues.

In conclusion, we need to find ways to protect the young or vulnerable online, but we need to do that in ways that do not unnecessarily impinge on freedom of speech, or try to create some kind of super-nanny internet. We also need to ensure that the internet continues to be able to offer the range and scope of services that people have increasingly come to expect and enjoy.

Question put and agreed to.

Adjourned accordingly at three minutes to Eight o'clock.

House of Commons

Thursday 5 June 2008

The House met at half-past Ten o'clock

PRAYERS

[Mr. Speaker *in the Chair*]

NEW WRIT

Ordered,

That Mr. Speaker do issue his Warrant for the Clerk of the Crown to make out a new writ for the electing of a Member to serve in this present Parliament for the County Constituency of Henley in the room of Alexander Boris de Pfeffel Johnson, Esquire, who since his election for the said County Constituency has accepted the Office of Steward or Bailiff of her Majesty's Manor of Northstead in the County of York.—*[Mr. McLoughlin.]*

PRIVATE BUSINESS

Bournemouth Borough Council Bill *[Lords]* *(By Order)*

Canterbury City Council Bill *(By Order)*

Leeds City Council Bill *(By Order)*

Orders for Second Reading read.

To be read a Second time on Thursday 12 June at Three o'clock.

London Local Authorities (Shopping Bags) Bill *(By Order)*

Order for Second Reading read.

To be read a Second time on Thursday 12 June.

Manchester City Council Bill *[Lords]* *(By Order)*

Nottingham City Council Bill *(By Order)*

Reading Borough Council Bill *(By Order)*

Orders for Second Reading read.

To be read a Second time on Thursday 12 June at Three o'clock.

Oral Answers to Questions

TREASURY

The Chancellor of the Exchequer was asked—

Mortgage Rates

1. **Ms Karen Buck** (Regent's Park and Kensington, North) (Lab): What recent discussions he has had with ministerial colleagues on the impact of mortgage rates on the economy. [208597]

The Chancellor of the Exchequer (Mr. Alistair Darling): I have many discussions with colleagues on a range of matters, including those who are in the market for mortgages.

Ms Buck: House prices in my constituency are among the highest in the country, and home owners are experiencing real pain and anxiety. What can my right hon. Friend tell me to assure those who hold fixed-term mortgages that are coming to an end that the Government understand the pain and anxiety that they are going through and will take action to help them with future repayments?

Mr. Darling: My hon. Friend has raised a matter that concerns many people in this country. We have had discussions with the Council of Mortgage Lenders, which I expect to meet again next week to discuss how we can ensure that when people come off fixed-term mortgages and look at the options, they can receive proper advice and hopefully get on to rates that are as low as possible. I can also tell the House that the CML has told me that it hopes that it can make considerable progress in ensuring that smooth transition, because we want to make sure that people get on to the lowest possible mortgage, especially at this time.

Mr. Michael Fallon (Sevenoaks) (Con): Would the mortgage market not be working better if the Chancellor had not dithered and delayed for so long about the necessary banking reforms in the light of the Northern Rock crisis? It is nine months since Northern Rock ran into difficulty; when are we going to see some serious proposals for legislation?

Mr. Darling: The two things are not connected, as the hon. Gentleman well knows. On action that we have taken to help the mortgage market, in addition to the money that the Bank of England and other central banks put into the system last autumn, the Bank of England's special liquidities scheme will help. It will take time to work its way through, but it will underpin the financial system in a way that is absolutely essential.

Yes, the banking reforms are necessary, but we have just finished a period of consultation and spoken extensively to banks and other institutions about the reforms that we need. We want to get the reforms right, and the overwhelming view of the British Bankers Association, which is working co-operatively with us, is that we can see where we want to get to. We need to get the detail right, but I intend to introduce legislation during this parliamentary Session. I hope that that legislation will receive all-party support, because the sooner we get it on to the statute book, the better. Of course, the Banking (Special Provisions) Act 2008 that we put on the statute book following the taking into public ownership of Northern Rock will help, in that it provides powers that the Government and the other authorities simply did not have before then.

Ms Sally Keeble (Northampton, North) (Lab): Will my right hon. Friend look at the plight of home owners on low incomes who face particular pressures because of reductions in their working hours? He is giving very generous support to families in rented accommodation, but will he also look at providing some support to families on low incomes who are in their own homes?

Mr. Darling: Yes. As my hon. Friend knows, we discussed this matter yesterday in the Treasury Committee, and, as she has rightly said, we have been able, through disregarding the child benefit, to help people who receive housing benefit. She rightly raised concern about people on low income, who may be facing reductions in their income because they are working fewer hours and who have to pay their mortgage. As I said to her yesterday, we clearly need to look at that as part of a range of measures to help people. Of course, the increase in the personal allowance will mean that all basic rate taxpayers will be paying less tax this year, and that, too, will make a contribution.

Mr. Mark Field (Cities of London and Westminster) (Con): Discussions with ministerial colleagues, or, indeed, with the Council of Mortgage Lenders, on this matter are all well and good, but what advice would the Chancellor give the Bank of England in respect of alleviating the pain of the many millions of mortgagees who are suffering from high interest and mortgage rates?

Mr. Darling: As the hon. Gentleman knows, the Bank of England and its Monetary Policy Committee are entirely independent of Government, and neither I, nor my predecessor, have commented on what they do, because it is important that they conduct those things independently. The Bank of England is, of course, making its decision today, but it is doing so against a background of a strong and stable economy over the past 10 years. It has a target, and it has to decide what it ought to do.

Kelvin Hopkins (Luton, North) (Lab): A substantial fall in house prices inevitably brings with it the risk of serious recession. Yesterday's OECD economic forecast was quite pessimistic, so is it not time for my right hon. Friend to urge the Monetary Policy Committee to reduce interest rates?

Mr. Darling: As I have just said to the hon. Member for Cities of London and Westminster (Mr. Field), the Bank of England's Monetary Policy Committee is independent of Government. That is one of the main reasons why our inflation levels are now at a historically very low level, and I am not going to change Government policy so far as that is concerned.

The OECD, along with other independent commentators, has made the point that, across the world, economies are slowing down and, as I said in the Budget, ours is no exception. However, the OECD said that the

"real economy indicators"

for this country

"have so far been resilient",

and if my hon. Friend the Member for Luton, North (Kelvin Hopkins) were to look at the routine surveillance report that the International Monetary Fund carried out on this country about three or four weeks ago, he would see that it made the point that we have experienced sustained low inflation and rapid economic growth, and that that was an exceptional achievement and the result of the policy that we have been pursuing for the past 10 years. That policy will ensure that our economy remains resilient, although we cannot be complacent. We are going through a period of unprecedented uncertainty and turbulence in the financial markets, and we are facing the pressures of inflation in relation to fuel and food. We must be mindful of those, but our economy is in a much stronger position than it was 10 or 15 years ago, when 3 million to 4 million people were out of work and there was double-digit inflation. *[Interruption.]* Opposition Members may want to forget it, but people in this country remember it very well indeed.

Dr. Vincent Cable (Twickenham) (LD): Will the Chancellor accept that with mortgage lending at its lowest level since the early '90s, prices in vertical decline and the extent of arrears and fraud exposed by the Bradford and Bingley's problems, more drastic intervention is required? That drastic intervention could take the form of using the perfectly sensible, but pitifully small, proposal from the Prime Minister, which is to acquire repossessed homes for social renting, and operate it on a much larger scale, using the prudential borrowing powers of local councils and the Housing Corporation?

Mr. Darling: As the hon. Gentleman has said, taking action on repossessed homes will help. We may want to consider other measures as well. I say to him that house prices have been falling, which is inevitable given what is happening and the constraint of credit and mortgages, but that is happening against a background of house prices having risen by about 45 per cent. over the past five years. We will continue to take whatever action is appropriate to support not only the economy, but the housing market.

Mr. George Osborne (Tatton) (Con): It is remarkably complacent of the Chancellor to describe the British economy as "strong and stable" at the moment, which is not the experience of home owners and people in work. Will he confirm, given that he is fond of his historical comparisons, that the figures announced by the Halifax this morning on house prices showed the fastest fall on record in house prices?

Mr. Darling: In relation to the hon. Gentleman's first point, our economy is strong and it has been resilient. I was drawing attention not to what I have said, but what the IMF, which is, of course, entirely independent of this and every other Government, has said. House prices are falling, but the Halifax also said today that one of the factors that is important this time—as opposed to my historical comparison with last time—is that employment levels are much higher than they were 10 to 15 years ago. That makes a difference to confidence and the outlook for the future.

Mr. Osborne: Again, we hear remarkable complacency from the Chancellor. He knows that the most recent figures show a rise in unemployment, and house prices are falling at their fastest rate ever. Inflation is rising, real incomes are falling and the Government stand paralysed, like a rabbit in the headlights, because they saved nothing in the good years to prepare for these difficult years. Therefore, their only answer is to increase taxation on families that already face a rising cost of living. Indeed, the Chancellor's performance is so poor that he is about the only member of the Cabinet not touted about as a future leadership contender.

As the Chancellor wants to quote international organisations, will he confirm that the OECD said yesterday that

"the government's options have been limited by excessively loose fiscal policy in past years when economic growth was strong."?

In other words, they did not fix the roof when the sun was shining. In what could be his last ever Treasury questions, who does he think is to blame for that?

Mr. Darling: The hon. Gentleman would have more credibility on that point if, at the time in question, he and all his colleagues had called for less expenditure, not more, on education, health, police and defence. You name it, Mr. Speaker, the Conservatives were calling for more and more expenditure on it, without any identifiable means of paying for it.

Over the past 10 years, as the IMF and others have noted, we have built up a strong and resilient economy. It is undoubtedly the case, in this country and every other country, that we are feeling the effects of the problems that started in the financial markets and have spread to the wider economy. We are also facing the twin threats of inflation in food and fuel prices, but I believe that what we have done over the past 10 years will stand us in good stead. We will continue to do whatever is right to support the economy, but above all we will ensure that we continue with policies that build a stable economy, which is so important for the future.

Vehicle Excise Duty

2. **Mrs. Nadine Dorries** (Mid-Bedfordshire) (Con): If he will reconsider his proposals on vehicle excise duty changes announced in Budget 2008. [208598]

The Exchequer Secretary to the Treasury (Angela Eagle): The vehicle excise duty reforms announced in the Budget are due to be legislated in the 2009 Finance Bill. The Chancellor keeps all taxation policy under review. Tackling climate change is the most serious environmental challenge that we face, and road transport contributes about a quarter of the total UK carbon dioxide emissions. As part of a package of measures to reduce emissions from transport, the VED reforms will send strong signals to motorists to purchase more fuel efficient new and second-hand cars.

Mrs. Dorries: This morning, all over Britain, many British mums have finished the school run. During the day, they will probably pop into Tesco, where they will have to leave on the shelves treats for their children that they could have afforded a few months ago. *[Interruption.]* Well, that is how it is. Those mums will be unaware that the road tax on the family second-hand car in the car park is about to increase dramatically. How much misery does the Chancellor want to heap on to the shoulders of struggling British mothers?

Angela Eagle: Many of the mums about whom the hon. Lady seems to be so concerned have benefited greatly from tax credits, which the Conservatives would abolish.

Ian Lucas (Wrexham) (Lab): In my hon. Friend's consideration of the Tory fuel escalator, will she look again at the excellent proposal by my constituent, Mr. Peter Bernie, to end the cap at the top end of the vehicle excise duty rates, so that the most polluting vehicles pay the most vehicle excise duty?

Angela Eagle: I note that the quality of life policy group report published by the Conservative party last September suggested introducing a purchase tax on new cars of up to 10 per cent. of sale value, which would be far more than the £950 that we are proposing.

Mr. David Heath (Somerton and Frome) (LD): In a rural constituency such as mine, there are a lot of working vehicles, many of which are older vehicles, which will be caught by these VED changes. There is a very strong environmental argument for doing something about VED on new cars, but what on earth is the environmental argument for doing that to cars that have already been purchased?

Angela Eagle: Agricultural vehicles are exempt, and there is, of course, the red diesel concession for those who use vehicles for farming. We understand and are considering the issues for those who live in rural areas.

Mr. Brian Jenkins (Tamworth) (Lab): Will my hon. Friend consider holding the tax band for the present owner until the vehicle is sold on, which would inform the new owner of the tax that they will have to pay?

Angela Eagle: Changes to VED have always been applied in such a way. There is nothing new or unusual about applying new car tax rates to existing cars. Indeed, the Conservative party put up VED rates 13 times when it was last in power, and those increases applied to all cars, not just to some.

Sir Patrick Cormack (South Staffordshire) (Con): Is the Minister aware that this is the most intellectually threadbare argument that the House has heard for a long time? How can she conceivably justify such retrospective taxation, and how does that show any understanding of the plight of the rural community?

Angela Eagle: It is not retrospective legislation. Will the hon. Gentleman explain to Labour Members why the quality of life policy group report, which the right hon. Member for Witney (Mr. Cameron) welcomed and said would form part of the Conservative manifesto, suggested an even greater increase between the top and bottom bands based on CO_2 emissions?

Sir Nicholas Winterton (Macclesfield) (Con): I appreciate that the Minister represents an urban constituency, but what thought has she given to livestock farmers in the hill country of the UK, who need a powerful 4x4 not only to transport livestock to cattle markets and elsewhere but to undertake their job in difficult terrain? Is it not unfair that those cash-strapped farmers face a huge increase in vehicle excise duty?

Angela Eagle: I hope that the market will develop so that such cars and vehicles produce lower emissions in the future than they do now. That is what these dynamic changes are intended to produce.

Justine Greening (Putney) (Con): In a parliamentary answer that I received today, the Minister stated that

> "of all households sampled with incomes less than £15,000, 41 per cent. had cars in current VED bands B or C."—[*Official Report*, 4 June 2008; Vol. 476, c. 927W.]

Will the Minister confirm that that must mean that 59 per cent. of those households that earn less than £15,000 have bought new cars in higher bands than B and C, and will therefore pay more VED? In some cases, the increase will be getting on for £250, which is more than a week's take-home pay. How does the Minister expect those households to financially plan ahead when she will not even admit that this retrospective tax will hit them worst? Is it not time to drop this plan and listen to the—*[Interruption.]*

Mr. Speaker: Order.

Angela Eagle: Of the poorest 20 per cent. in income terms, half do not own a car at all. Low-income households are far more likely to own a pre-2001 car, and such cars are unaffected by the changes.

Bonus Payments (Financial Sector)

4. **Mr. David Hamilton** (Midlothian) (Lab): If he will initiate research into whether bonus payments to those working in the financial sector have an effect on the rate of inflation? [208602]

The Chancellor of the Exchequer (Mr. Alistair Darling): I believe that bonus payments should be tied to the performance and increased performance of companies.

Mr. Hamilton: While it is true to say that the £15 billion paid out in City bonuses last year has fallen back to £7 billion, which is a meagre drop, two directors have received personal bonuses of £200 million. Does the Chancellor understand why the public sector is asking why there is one rule for some and another rule for others? Surely such bonuses must have an inflationary impact, and we should review that position.

Mr. Darling: I do not think that that has a terribly significant inflationary impact, and of course, all bonuses are taxed, usually at the higher rate. However, when boards fix bonuses for their executives, they should ensure that they are tied to the long-term interests of their companies. That has not always happened in the past, as we have seen. It is important that people are given incentives to consider what is in the long-term good of the company involved, because that must be in the best interests of our whole economy.

Mr. Philip Dunne (Ludlow) (Con): As the Government are now the owner of one of the largest mortgage providers in the country, what inflationary impact has the Chancellor caused by paying £1 million to the chief executive of Northern Rock? Can the right hon. Gentleman name any other chief executive of a mortgage provider who earns more than £1 million a year?

Mr. Darling: The Government have indeed taken temporary ownership of Northern Rock. We had to employ staff, and we had to pay the appropriate rate. Frankly, I would rather pay the appropriate rate, get some good management in there, sort out the problems of Northern Rock and then return it to the private sector. I am sorry that the hon. Gentleman does not support that.

John McFall (West Dunbartonshire) (Lab/Co-op): Warren Buffett, the world's richest financier, said this about the credit crunch a couple of weeks ago:

> "The banks exposed themselves too much. They took on too much risk. It's their fault. There's no one else to blame."

But despite that reckless disregard of risk, the banks have rewarded the bankers, in particular, in both good and bad times. The Governor of the Bank of England and the Financial Services Authority have expressed concern to the Treasury Committee about that structure. Will the Government work with us in our financial stability and transparency inquiry to ensure that we have a payment system that rewards success only and not failure—today, we have seen a profits warning from the Bradford and Bingley and the chief executive has departed with a golden nest egg?

Mr. Darling: I think that the chief executive of that bank is retiring for health reasons. On bonuses generally, I said just a few moments ago that I believe that boards should ensure that the way in which they reward their executives ought to be geared towards the long-term improved performance of their institutions, and that has not always happened. On my right hon. Friend's general comments, it is quite obvious that a number of banks did not understand the nature and scale of the risks to which they became exposed. However, that does not help any of us in the immediate period, because we have to live with and resolve the consequences; but I agree that boards ought to be far more diligent in ensuring that they reward people for doing things that are right for the company in the long term, because the public and their shareholders expect that people should be paid for success and not for failure.

Mr. Henry Bellingham (North-West Norfolk) (Con): Does the Chancellor agree that the huge bonus paid to Adam Crozier is completely unjustified, when small but viable rural sub-post offices are being closed?

Mr. Darling: On post office closures, as the hon. Gentleman will know, a problem that has faced our Government and his Government before that is that, over the longer period, fewer and fewer people use post offices. The National Federation of SubPostmasters recognises that problem, which is why the proposals that I put forward a couple of years ago were designed to ensure that there was a viable network, but there is no getting away from the fact that we must ensure that the Post Office is properly supported. We have put a great deal of public money into the Post Office, but we must also ensure that the network is viable. To pretend that it can be easily fixed or to do something else would be quite wrong.

Financial Inclusion

5. **Mr. Mark Todd** (South Derbyshire) (Lab): What recent discussions he has had with ministerial colleagues on promoting financial inclusion. [208604]

The Economic Secretary to the Treasury (Kitty Ussher): The Government are committed to ensuring that everyone has access to financial services to meet their needs. In 2007, I chaired a ministerial working group on financial inclusion, with colleagues from across the Government. That group developed a three-year action plan, which was published in December 2007.

Mr. Todd: I thank my hon. Friend for that reply. Does she agree that information and education are the crucial features in giving people better access to financial products and that that should be delivered at the youngest possible age? Some of the programmes that I see in schools that are designed to teach young people about financial products are, frankly, rather poor and not fit for purpose. Is there some sense perhaps in looking harder at whether the available materials are pedagogically suitable?

Kitty Ussher: I agree with my hon. Friend, which is why from September this year financial capability will be included in the personal, social and health education curriculum at key stages 3 and 4. My right hon. Friend the Secretary of State for Children, Schools and Families has announced £11.5 million precisely to provide educational support on financial capability in schools. I hope that we will shortly be in a position to announce who will provide that information.

Miss Anne McIntosh (Vale of York) (Con): The category that is most excluded is, of course, women, who tend not to present themselves for advice on taking up a financial package. What measures are the Government taking to include women more in those financial packages, and how does the Minister respond to newspaper reports today that women will be particularly affected by the removal of the 10p income tax band?

Kitty Ussher: Our policies are designed for all people, male and female, but an important strand of the financial inclusion action plan published at the end of last year is making sure that we use all the public sector agencies to reach the people who most need support and information. That is why every single person who visits a hospital to have a child will shortly be given the new parents' guide to money through the midwife service. I have seen that scheme in action in my constituency, and I can heartily recommend it.

Kerry McCarthy (Bristol, East) (Lab): I know that the Minister is a great supporter of the role of credit unions in tackling financial exclusion, and I thank her for agreeing to speak at the inaugural meeting of the all-party group on credit unions at the end of the month. Does she agree that a fundamental review of credit union legislation is long overdue, if credit unions are to play the role that is needed within communities to tackle financial exclusion?

Kitty Ussher: I agree wholeheartedly with my hon. Friend, which is why we conducted a review of the environment in which credit unions and co-operatives operate. The results of the consultation were considered and published at the end of last year, on, I think, 31 December. We are working extremely hard to make sure that credit unions can play their full part in addressing the problems of some of the poorest people in our society by providing them with affordable credit and other forms of financial support. I hope to be in a position to announce more details shortly.

Mr. Adrian Bailey (West Bromwich, West) (Lab/Co-op): I am sure that the Minister agrees that educating children about financial management from the earliest age is essential if we are to combat long-term financial exclusion. Will she undertake to look at AweSum Challenge, a programme recently devised and launched in West Bromwich by West Bromwich Building Society with the support of the Secretary of State for Children, Families and Schools, to consider its potential for combating financial exclusion?

Kitty Ussher: I would be delighted to look at that programme in my hon. Friend's constituency, and I commend him on his work on the issue. I believe that we can do far more through the education system, and through the various grass-roots organisations in some of our poorer communities, to drive up levels of financial capability. My hon. Friend will know that we commissioned Otto Thoresen to do some work on the subject and to provide a service that works for the whole population. The results of his work are currently being taken forward by the Financial Services Authority.

Income Tax

6. **Angela Watkinson** (Upminster) (Con): What estimate he has made of the income distribution of the 1.1 million households which will not be fully compensated for the abolition of the 10p rate of income tax by the measures announced on 13 May 2008. [208605]

The Financial Secretary to the Treasury (Jane Kennedy): The announcement that my right hon. Friend the Chancellor made on 13 May means that four in five households that stood to pay more tax as a result of the abolition of the 10p tax rate have been compensated in full, and the remaining 1.1 million will see their losses more than halved. Details of the household incomes of the 1.1 million households that are not fully compensated are set out in the memorandum to the Treasury Committee for its inquiry on Budget measures and low-income households in annexe D on page 24.

Angela Watkinson: Does the Minister find it acceptable that if we take together the abolition of the 10p tax rate, the cut in the base rate and the increase of £600 in personal allowance, the loss in income is greatest for somebody earning only £7,755?

Jane Kennedy: That is why, as we have said, further work is being undertaken. The Treasury Committee is conducting an inquiry into the impact of the abolition of the 10p tax rate, as the hon. Lady knows. I do not wish to pre-empt the outcome of that inquiry, but further work is being undertaken, precisely because we have been concerned about the impact.

Mike Penning (Hemel Hempstead) (Con): One group of people who are not included in the Minister's figures are the workers with occupational pension schemes who had their pensions stolen from them five years ago. The Government have introduced a compensation package for them, five years on, but many pensioners on low incomes will now be taxed at 20p in the pound, not 10p in the pound, as they would have been if they had had their pensions five years ago. What are the Government going to do about this robbery of their pensions?

Jane Kennedy: That is rather excessive language, I think, coming from a party that dismantled the state earnings-related pension scheme, which was one of the greatest benefits to working people. As I said in my previous answer, precisely because we have been working hard to make sure that those who lose overall are compensated for the impact of the abolition of the 10p tax rate, further work is being undertaken and the Treasury Committee is taking forward its work.

Mr. Roger Williams (Brecon and Radnorshire) (LD): Mrs. Georgina Nolan wishes to stand outside the Treasury with a placard indicating that she is one of the 1.1 million people who have still not been fully compensated. She is in her early 60s, having worked all her life, and she is now feeling the pain and experiencing financial problems. She wants to be compensated now.

Jane Kennedy: Indeed. The changes that have been introduced will feed through into pay packets in September. It is the earliest possible change that could have been made. Mrs. Nolan ought at least to be pleased that she will see the changes taking place in September.

Mr. David Gauke (South-West Hertfordshire) (Con): In the 2007 Budget, the then Chancellor made great play of the fact that from 2009 there would be only two rates of taxation on personal income, because of the alignment of income tax and national insurance contributions. Indeed, the Minister took a Bill to that effect through the House. Given the changes in the income tax threshold announced as the compensation package for the 10p tax rate losers, will that still happen in 2009, or is that yet another tax policy that will collapse before it is even implemented?

Jane Kennedy: In the changes that we make to national insurance, all factors are taken into account and taken in the round. That is not signalling that the hon. Gentleman should take that as a yes or a no. I am obviously not in a position to say at this point exactly what we will do when we come to consider the rate of national insurance later this year.

Government's Fiscal Rules

7. **Mr. Graham Stuart** (Beverley and Holderness) (Con): What recent assessment his Department has made of the extent to which levels of public debt and borrowing comply with the Government's fiscal rules. [208606]

The Chancellor of the Exchequer (Mr. Alistair Darling): I set out my economic and public finance forecasts in the Budget, which shows that the Government are meeting their fiscal rules.

Mr. Stuart: Yesterday, the OECD warned that the Government's Budget deficit will exceed 3.5 per cent. of national income. It stated that

> "these figures suggest that the sustainable investment rule could be breached in 2009"

and it blamed the Treasury's "excessively loose" fiscal policy over the past 10 years. Does the Chancellor agree that it would be entirely wrong to blame him for this situation, when responsibility so clearly rests next door?

Mr. Darling: The discipline that we imposed on ourselves almost 10 years ago has served our country well. Among other things, it has enabled us to make up for the huge lack of investment in the transport system, education and health. As a result, we are now able to spend far more in investing in those services, which help each and every one of us.

In relation to what the hon. Gentleman says, as I said to the shadow Chancellor earlier, the Opposition would have far more credibility on this issue if it were not for the fact that, for the past few years, they have been calling not for less but for more public expenditure on every possible occasion, without being able to show how they would pay for it. So our rules are right and they have ensured that we have been able to make up for a massive backlog in public investment. That would never have happened under a Conservative Government.

Mr. Andrew Love (Edmonton) (Lab/Co-op): Will my right hon. Friend confirm that, in this period of economic turbulence, the fiscal rules will continue to be at the centre of his framework for maintaining stability in the British economy?

Mr. Darling: As I said, the rules provide us—and, indeed, any Government—with the right disciplines to ensure that, over the cycle we borrow to fund investment and that we keep debt at a sustainable level. The fact that our debt levels are historically low is hugely beneficial to us, especially at the moment.

Peter Viggers (Gosport) (Con): The Prime Minister has criticised banks and other institutions for carrying assets and liabilities off balance sheet, thus giving a misleading impression of their financial health. Does it matter that if the Government included their own off-balance-sheet liabilities, such as Northern Rock and private finance initiatives, they would be carried way through the fiscal rules?

Mr. Darling: I am not sure that the Conservative party policy at the moment is to argue seriously that we should take Northern Rock on to the balance sheet. If we did that and applied the rules on the back of that, it would distort the economy, especially at the present time. It would make no economic sense and no sense whatever. I find it hard to understand why the hon. Gentleman is arguing that.

Fuel Prices

8. **Richard Ottaway** (Croydon, South) (Con): What assessment he has made of the effects on the economy of recent trends in fuel prices; and if he will make a statement. [208607]

The Financial Secretary to the Treasury (Jane Kennedy): Increases in fuel prices, driven by developments in the global oil and wholesale gas markets, inevitably continue to influence UK inflationary pressure. However, the

UK is better placed to respond to those challenges than in the past, given that employment is at record highs and that inflation is still low by historical standards.

Richard Ottaway: Yesterday, the Prime Minister said that he was addressing the root causes of high oil prices. Is the Minister aware that the chief executive of Total said yesterday that oil prices had been pushed up by speculation? That was confirmed by the well-regarded Global Research organisation, which said that

> "60 per cent. of today's...oil price is pure speculation...by large trader banks and hedge funds."

Does the Minister agree that there is absolutely nothing that she can do about that, unless she proposes to interfere in the markets?

Jane Kennedy: The hon. Gentleman is right about what has been said and what was said yesterday. I understand that that was largely because it was expected that there would not be an increase in production. However, an open economy such as the UK's is inevitably affected by global developments, including those in global food and energy prices.

Overall, UK inflation is lower than that in the US and the euro area and is the second lowest among all 27 European Union countries. Although we are going through a period of difficulty, it would be of benefit to all if more were made of the demonstrable underlying strength of the economy, rather than there being the celebration of the problems that we sometimes hear from Conservative Members.

Mr. Dennis Skinner (Bolsover) (Lab): Does my right hon. Friend agree that the issue is not only about production? The argument used to be about the Organisation of Petroleum Exporting Countries and its failure to increase production, and that still applies. However, that is added to by massive speculation. If America, that bastion of capitalism, can set up a Senate Committee to look into the speculation that is shoving oil prices, along with food prices, through the roof, surely it is time that we led a campaign in the international gatherings—at the G8 and among Finance Ministers—to put a stop to that massive speculation, which is hitting many people around the world.

Jane Kennedy: My hon. Friend has made his point as only he can; it is a pleasure to see him in his seat. My right hon. Friend the Chancellor will take the advice that my hon. Friend has given the House with him when he attends the next meeting of the G7, which is in Japan in two weeks' time.

Mr. Alan Reid (Argyll and Bute) (LD): The recent rises in fuel prices have caused an economic crisis on our islands and remote parts of the mainland, particularly the Kintyre peninsula. I thank the Exchequer Secretary for our constructive meeting yesterday. However, will the Government examine the evidence presented and consider the problems that the high price of fuel is causing remote rural communities? Will they look at the rural fuel discount schemes that operate in other countries and seriously consider introducing a scheme for a lower rate of fuel duty for islands and remote communities? Such help is needed for the struggling economies of those parts of the country.

Jane Kennedy: I am grateful to the hon. Gentleman for the acknowledgement of the meeting that he had yesterday with my hon. Friend the Exchequer Secretary. She has indicated to him how willing she is to look at the evidence, and I am sure that he will bring that evidence forward and that she and her officials will give it some consideration.

Nick Ainger (Carmarthen, West and South Pembrokeshire) (Lab): Will my right hon. Friend have discussions with the oil companies about extending or creating a social tariff for heating oil and for domestic liquefied petroleum gas and liquefied natural gas? Although it is right that the energy companies now have a significantly increased social tariff for domestic gas and electricity users, many people in rural areas whose only source of heating is heating oil or LPG have no social tariff available to them. Will my right hon. Friend tackle that problem?

Jane Kennedy: My hon. Friend may know that my right hon. Friend the Chancellor has already indicated that that is a good idea that he would like to consider, so my hon. Friend's suggestion is welcome. However, it is worth reminding the House that the volatility of inflation since 1997 has been just a quarter of what it was in the two decades before 1997, underlying the case that we are able to make for the strength of the British economy in being able to deal with the challenges in the weeks that lie ahead.

Stewart Hosie (Dundee, East) (SNP): In terms of the impact of high fuel prices, not only remote rural areas and island communities—in the northern isles, where prices are at £6.50 a gallon, people are questioning whether it is worth going to work—but economic sectors all over the UK, not least the haulage industry, are being hit hard. Does the Minister agree that the right thing to do in principle would be to introduce a fuel duty regulator to smooth out unexpected spikes in pricing? Does she further agree that the only tool that the Chancellor has—either to apply or postpone routine increases in duty—is now a totally inadequate response to the massive spikes in fuel price rises?

Jane Kennedy: The hon. Gentleman makes an interesting proposal that has been considered, but there are concerns that it would actually increase the volatility of fuel prices. It is wrong to suggest that we have only one tool. My hon. Friend the Minister for Energy recently attended the 11th ministerial meeting of the International Energy Forum, securing an ambitious programme of further work on improving market transparency and removing barriers to investment in new oil supplies. As I said, my right hon. Friend the Chancellor will make this a high priority for British input into the G7 summit in two weeks' time. This is an international problem—it is not only being experienced here in the UK—and the most effective response will be a global one from economies throughout the G7.

Mr. Speaker: We now come to topical questions. Could I ask that when hon. Members ask a topical question it is brief and not an opportunity to make a speech?

Topical Questions

T1. [208587] **Mr. Adam Holloway** (Gravesham) (Con): If he will make a statement on his departmental responsibilities.

The Chancellor of the Exchequer (Mr. Alistair Darling): The core purpose of the Treasury remains to ensure the stability of the economy and to promote growth, as well to manage the public services and finances.

Mr. Holloway: From next year, Her Majesty's Revenue and Customs will be able to show up at someone's office or workplace, at their accountants or their bank and demand information about them. Can the Chancellor outline what benefits there will be from those massively increased powers?

The Financial Secretary to the Treasury (Jane Kennedy): HMRC has been undertaking a review of its powers because it was widely recognised that there were very strong powers in some areas of the tax code and much more limited powers in other areas where there was unevenness and inequity in the way in which they were exercised. We will scrutinise the powers that we propose to reform, including, I assume, in the debate that we will have later today in the Finance Bill Committee upstairs. There will be a reining back of some of those powers and a greater transparency about how they are applied. I hope that the hon. Gentleman will be reassured if I tell him that there will be many more safeguards for taxpayers—rights of appeal and so on—in the way that the powers are applied. I am listening closely to representations that are being made by taxation advisers and others in the field as we take this review forward.

T3. [208589] **Nia Griffith** (Llanelli) (Lab): Many of my constituents are worried about the rising cost of food in their shopping baskets, but even more concerned about the major rise in food prices worldwide and the potentially devastating effects on many people in poorer countries. Will my right hon. Friend the Chancellor tell me what action he is taking to tackle this crisis in rising global food prices?

Mr. Darling: We will raise that issue at the G7 meeting in Japan in 10 days' time. It is important that countries throughout the world act to deal with some of the problems that are causing high food prices. For example, we in Europe need to face up to the impact that the common agricultural policy is having on food prices or the very high import tariffs that we impose in some cases. We also need to look at whether the current biofuels policy is distorting the market. It cannot be right that corn that could be used for food purposes is used to be put into petrol tanks. Sustainable biofuels can be used, and we need to make sure that we use them, but we also have to ensure that import and export barriers that countries have are broken down, which is why it is important that we get a trade deal as quickly as possible. We need to look at the barriers that are preventing farmers, either here or in developing countries, from planting the crops that we need. That is a huge problem for developed and developing countries alike, and it demands international action. We want to make sure that it is properly discussed and that action follows from the meeting in 10 days' time.

Mr. Philip Hammond (Runnymede and Weybridge) (Con): Does the Chancellor agree with us and the Treasury Committee that the person appointed to the post of deputy governor of the Bank of England should be someone with direct financial markets experience?

Mr. Darling: We will make an announcement shortly, but I say to the hon. Gentleman that I hope that we get all-party agreement on the matter. Part of the changes that I want to make to the Bank of England is to restructure it so that one of its core purposes is the maintenance of financial stability. We should learn from the example of the Monetary Policy Committee, and take a similar approach to financial stability, bringing in outside expertise to advise the Governor and the appropriate deputy governor.

I agree with the hon. Gentleman that it is crucial that the Bank of England, which does not have such a responsibility at the moment, has a statutory responsibility to ensure that the viability of the financial system is at the front of everything that it does. It is important that we get that reform through; it is also important that we appoint the right person to be the deputy governor. I will ensure that that happens.

T4. [208590] **Andrew Mackinlay** (Thurrock) (Lab): When the Home Office and the Foreign Office contemplate granting political asylum to these extraordinarily clever people who come to this country from the former Soviet Union not with millions, but with billions, what involvement does the Chancellor's Department, or departments for which he has responsibility, have in commenting on the veracity, honesty and integrity of people who have, frankly, ripped off their countries and rushed to the west?

Mr. Darling: I am not aware of being routinely asked for advice on such matters. Of course, the Treasury, if asked by either the Home Office or Foreign Office for its comments, would be happy to give them.

T5. [208592] **Tony Baldry** (Banbury) (Con): Is the Treasury going to find the money to ensure that our armed forces are paid and housed decently, or are the Government simply going to ignore today's advice from Sir Richard Dannatt?

Mr. Darling: As the hon. Gentleman will know, we have increased spending on defence over the last few years, which contrasts with what happened in the 1980s and 1990s. In the settlement made with the Ministry of Defence last year, we have also made additional funds available for the refurbishment of Army homes. I agree with the hon. Gentleman: it is important that we provide decent homes for people who are serving their country so well.

I understand that the Chief of General Staff raised the issue of pay in an interview in one of this morning's newspapers. We implemented the independent pay review recommendations last year, and some soldiers in the junior ranks got an increase in their pay way above inflation. We will continue to do whatever we can to support the armed forces that serve this country so well, but I can tell the hon. Gentleman and the House that we have been increasing the amount going to the MOD for some time now.

T6. [208593] **Shona McIsaac** (Cleethorpes) (Lab): People on low incomes are worried sick about being able to pay their gas and electricity bills. The energy companies, which rake in huge profits, have introduced social tariffs, but I am worried that few people know about them, so they do not get the limited help available. What discussions will be held with energy companies and others to ensure that people get all the help that is there for them?

Mr. Darling: I agree with my hon. Friend that people face increased pressure because of increased gas and electricity bills. That is why we reached an agreement with the power companies earlier this year. Among other things, it will ensure that people do not pay so much on the pre-payment meters. It always seemed wrong to me to ask people on low incomes to pay more than those on high incomes. It was unnecessary and should be sorted out, as it will be. As part of that, we have agreed to ensure that people get proper advice to try to get them on the lowest appropriate tariff as well as, of course, proper advice on and provision of, for example, insulation, to cut down on the amount of energy that people need to use in the first place. We are doing a range of things, but I agree with my hon. Friend that we must ensure that people know what they are entitled to so that they can get the benefit of it.

T8. [208595] **Jo Swinson** (East Dunbartonshire) (LD): With the soaring cost of fuel, the current 40p tax-free mileage allowance does not cover the cost of running a car for many key workers in our economy, including small business owners and community nurses. Will the Chancellor review the rate?

The Exchequer Secretary to the Treasury (Angela Eagle): We always keep those rates under review. The hon. Lady should also remember that the mileage rates are not meant to compensate for all the costs of running a car.

T7. [208594] **Mr. Stephen Hepburn** (Jarrow) (Lab): May I draw Ministers' attention to the Public Accounts Committee report, which stated that relocating 10,000 Government jobs from London to the north-east would mean a saving of £78 million a year? What progress has been made on the Lyons proposals, which the Government fully endorsed and which advocated the transfer of 20,000 jobs?

Jane Kennedy: I am grateful to my hon. Friend for giving me notice of the question. Since 2004, we have succeeded in relocating 15,700 staff out of London and the south-east. We are determined to maintain the momentum and I am confident that further posts will move to the north and north-east. Indeed, I understand that, in the past few days, Her Majesty's Revenue and Customs has confirmed a further 95 jobs in the Washington cluster of offices. I hope that my hon. Friend is reassured that we are maintaining the pressure and the momentum.

T9. [208596] **Simon Hughes** (North Southwark and Bermondsey) (LD): Is it still Government policy to reduce the gap between the richest 10 per cent. and the poorest 10 per cent. in this country? If so, when will that be delivered?

Mr. Darling: If the hon. Gentleman cares to examine what we have done in the past 10 or 11 years, he will realise that we have hugely increased people's incomes, especially those of people on lower incomes. I strongly believe that it is right to ensure that there is a fair tax system and that people are rewarded for their work. It will always remain a central purpose—a part of what we are about—to ensure that people on lower and middle incomes see the reward for what they have done and to continue to do everything that we can to take children and pensioners out of poverty.

Mr. George Mudie (Leeds, East) (Lab): Following the Bank of England's indifferent performance on Northern Rock, may I strongly endorse the earlier suggestion that the Chancellor stay firm in support of appointing a more City and market-oriented individual to the deputy governor's post instead of the cosy but wrong alternative of an in-house promotion?

Mr. Darling: I do not think that I can add much to what I said to the shadow Chief Secretary. I will make a decision in the not-too-distant future, but it is important that we keep sight of the fact that, although the appointee is important, it is also important to make the necessary changes to strengthen the Bank of England's ability—and responsibility—to deal with the stability of the financial system as a whole.

Mr. Mark Harper (Forest of Dean) (Con): If an ordinary family in my constituency who drive, say, a Ford Mondeo face a 30 per cent. rise in their car tax over the next three years and the consequent damage to its resale value, can the Chancellor explain by what mechanism that improves the environment?

Angela Eagle: Many Ford Mondeos will see a freeze or a fall in their vehicle excise duty. Perhaps the hon. Gentleman should recognise that some people will gain from the changes.

Mr. Siôn Simon (Birmingham, Erdington) (Lab): Will the Chancellor consider liberalising the regulation of non-standard forms of consumer credit? In the current climate, it is impossible for low-income families to secure mainstream consumer credit. We do not want them to go to loan sharks or dodgy credit providers, but the current regulatory framework makes it difficult for non-standard providers to offer consumer credit to families.

The Economic Secretary to the Treasury (Kitty Ussher): I am grateful to my hon. Friend for that question. He will have heard in earlier exchanges this morning about the important role that institutions such as credit unions can provide in, I hope, one day crowding out the legal but extortionate credit providers. Obviously loan sharks operate in the illegal sphere. My colleagues in the Department for Business, Enterprise and Regulatory Reform have already made significant progress in tightening up the regulations in that area. If there are other issues that my hon. Friend feels that we should look into, I should be happy to discuss them with him personally.

Sir Patrick Cormack (South Staffordshire) (Con): Will the Chancellor now come to the Dispatch Box and acknowledge the disproportionate impact that the increase in vehicle excise duty will have in rural areas?

Angela Eagle: Again, it depends on the cars being driven. There is no obvious reason why there should be a disproportionate impact in rural areas, as opposed to urban areas. The idea behind the changes is to encourage people to move to cleaner, less polluting cars. The Conservative "Quality of Life" report proposed putting the idea into effect in a much more draconian way than we are suggesting, yet now the Conservatives vote against it and do not support it.

John McFall (West Dunbartonshire) (Lab/Co-op): The Chancellor will know that Rachel Lomax, the deputy governor of the Bank of England who is retiring, has done an excellent job in charge of monetary policy. I urge the Chancellor not to box himself in, but to take the recommendations of the Treasury Committee and consider a management reorganisation at the deputy governor level, so that we can elevate financial stability to the important position that it should have?

Mr. Darling: I have tried over the past 20 minutes precisely not to box myself in, for obvious reasons. I do not normally discuss individuals on the Floor of the House, but Rachel Lomax has served the Bank well. She has also served successive Governments well, as a loyal, distinguished and hard-working civil servant. I know from my experience as Secretary of State for Social Security and then for Work and Pensions and as Secretary of State for Transport that Rachel Lomax was an excellent permanent secretary. Whatever she does in the future, I hope that the whole House will wish her well.

Business of the House

11.32 am

Mrs. Theresa May (Maidenhead) (Con): May I ask the Leader of the House to give us the forthcoming business?

The Leader of the House of Commons (Ms Harriet Harman): The business for next week will be as follows.

Monday 9 June—Second Reading of the Climate Change Bill [*Lords*].

Tuesday 10 June—Remaining stages of the Counter-Terrorism Bill (Day1).

Wednesday 11 June—Conclusion of the remaining stages of the Counter-Terrorism Bill.

Thursday 12 June—It is expected that there will be an oral statement on the HMS Tireless board of inquiry. Topical debate: subject to be announced, followed by the Chairman of Ways and Means has named opposed private business for consideration.

Friday 13 June—Private Members' Bills.

The provisional business for the week commencing 16 June will include:

Monday 16 June—Second Reading of the Children and Young Persons Bill [*Lords*].

Tuesday 17 June—Opposition Day [14th Allotted Day]. There will be a debate on an Opposition motion. Subject to be announced.

Wednesday 18 June—A general debate on the pre-European Council.

Thursday 19 June—Topical debate: subject to be announced, followed by a general debate on defence procurement.

Friday 20 June—Private Members' Bills.

I should also like to inform the House that the business in Westminster Hall for 19 and 26 June and 3 July will be:

Thursday 19 June—A debate on the report from the Work and Pensions Committee entitled "The Best Start in Life? Alleviating Deprivation, Improving Social Mobility and Eradicating Child Poverty".

Thursday 26 June—A debate on skills for life.

Thursday 3 July—A debate on women with particular vulnerabilities in the criminal justice system.

May I remind the House that we will rise for the summer recess on Tuesday 22 July? The dates for the tabling and answering of written questions during the summer recess were agreed by the House yesterday.

Mrs. May: I thank the Leader of the House for giving us the future business. I note that the business for next Monday has changed. Will she tell us what has happened to the second day's debate on the Planning Bill?

Robert Mugabe's actions have directly caused appalling malnutrition and famine in Zimbabwe. His presence at the UN food summit earlier this week, in defiance of EU sanctions, has rightly caused outrage. On 1 May, the right hon. and learned Lady said she would consider a topical debate on Zimbabwe. On 22 May, she said:

> "I think that the House will want a debate soon…I will report back shortly".—[*Official Report*, 22 May 2008; Vol. 476, c. 403.]

Lord Malloch-Brown is giving a briefing to the all-party group on Zimbabwe next week. That is welcome, but it is no substitute for a full debate in Government time in this House, as promised, on Zimbabwe. So when will we have that debate?

Food security is a matter of concern globally, so why was the UK the only country not to send a Minister to the recent meeting of European Agriculture Ministers? I understand that the Environment Secretary was at a meeting of the G8 Environment Ministers, but where was the rest of his team? May we have a statement to the House explaining why no Minister attended?

This week, the National Audit Office told the Ministry of Defence that the Ministry had wasted £500 million on eight Chinook helicopters that have never been flown. Today, the Chief of the General Staff, General Sir Richard Dannatt, has taken the unprecedented step of publicly asking the Government for more funding for our troops. Moreover, he has called for the Government to set out their priorities. Will the Defence Secretary make a statement to the House to do just that, and explain why, when troops in Afghanistan need more helicopters, his Department has wasted hundreds of millions of pounds on helicopters that are sitting in a hangar in Wiltshire? The Chairman of the Public Accounts Committee has called this a "gold-standard cock-up", so why is the debate in a fortnight's time on defence procurement being held on a Thursday, when it will be cut short by an hour and a half?

The disclosure by Post Office Ltd that a further 4,000 post offices could be closed, including profitable ones, in addition to the current 2,500 closures, has justifiably angered many people. In London, the current round of closures is pushing ahead, despite the fact that the Mayor has said he will launch a legal case on this matter. This comes on top of the news that Post Office managers have not even agreed on the minimum number of post offices that the service requires. We are lurching from closure programme to closure programme with no end in sight. Members on both sides of the House have highlighted the disastrous consequences of post office closures for their constituents. May we have a statement from the Business Secretary on what strategy, if any, his Department has in place on post offices?

Days after the British Medical Association called on the Government to dump the polyclinic plan, a report published today by the King's Fund has found that all patients would have to make "major sacrifices" under Government plans to centralise health services, and that the elderly and those in rural communities would be the worst hit. May we have a statement from the Health Secretary on the number of family doctors' practices that would have to close under the Government's plan for polyclinics?

Under this Government, rural communities such as those in my constituency and neighbouring constituencies have lost their post office, their local shop and their police station; now they are threatened with losing their family doctor. Furthermore, the Government are pushing up the tax on their elderly family cars. The Government simply do not understand rural communities. May we have a debate on how Government policy is slowly eroding our rural communities?

The Government are failing to represent the UK abroad, they are failing our armed services and they are

[Mrs. May]

failing our rural communities. The Prime Minister says that he is going to listen, but when is he going to learn?

Ms Harman: The right hon. Lady asked about the Planning Bill. The business of the House has indeed changed: it had been announced that the Bill was in the House next week. On Second Reading, a number of hon. Members from all parts of the House raised concerns about the Bill. Further, there have been meetings between Ministers and hon. Members. With the Minister who is responsible for the Bill, I too have met the Chairs of various Select Committees who are concerned about the processes involved in the Bill.

It is only right that if hon. Members, including Chairs of Select Committees, raise questions about a piece of Government legislation, the appropriate thing to do is to reflect on what changes might need to be made. Without arranging it formally, the Bill will probably come back to the House the week after next, probably on Monday 23 June—if that is the week after next. Hon. Members cannot have it both ways. Either they raise issues and want us to address them, or they raise issues and criticise us if we plough ahead—*[Interruption.]* At all stages, it is right for the Government to respond to hon. Members.

The right hon. Lady's second point was on Zimbabwe, and she pressed me on that. It is a matter of concern to the whole House. The second elections in Zimbabwe will be held on 27 June. The House has strong feelings about Zimbabwe, and the issue has been raised repeatedly in business questions. Both the Foreign Secretary and the Minister for Africa, Lord Malloch-Brown, are well aware of the strong feelings in the House and of the views of all hon. Members. They stand ready to meet them to discuss our diplomatic work in support of the democratic movements in Zimbabwe. The Foreign Office has contacted the offices of all those hon. Members who have raised Zimbabwe in business questions, and they will be invited to the all-party briefing next Tuesday, to which the right hon. Lady referred.

I can assure the House that we will have a debate on Zimbabwe. It will not be before the elections because the democratic movements in Zimbabwe do not want the views of the UK to be used as an alibi by Mugabe. However, I can assure the House that it will be before the House rises for the summer recess.

The right hon. Lady raised the issue of ministerial attendance at, and Government involvement in, the food security EU summit. I shall arrange for the relevant Department to write to her about that.

I understand that the Chinook helicopters were procured in 1995. I believe that there has been a written ministerial statement on that, but if there has not I will arrange for the Secretary of State for Defence to write to the right hon. Lady. As she said, there will be a debate on defence procurement on Thursday week, and that will give her colleagues and all hon. Members an opportunity to raise the issue.

The right hon. Lady mentioned armed forces pay, as did other hon. Members in Treasury questions, which were the business of the House this morning. The independent Armed Forces Pay Review Body recommends the level of pay increases for the armed forces. If hon. Members want a different system for setting the level of pay for the armed forces, perhaps they should make that clear. The Government have accepted the body's recommendations in full and without staging. That is the first point. We have a process, and no one is suggesting a different one—unless they come forward with proposals. We have complied with the process in full.

We have also increased the defence budget. By 2010, it will be 11 per cent. higher in real terms than it was in 1997. The UK is currently second only to the US in terms of defence spending as a nation. I have not heard Opposition Members propose how they would increase defence spending beyond what we are doing or which operations—Iraq, Afghanistan, Kosovo or elsewhere—they would cut back.

I remind Members that a soldier's salary does not constitute the entire remunerative package. Housing and council tax relief for soldiers on operations and, in some cases, school allowances should also be taken into account. Defence questions will take place on Monday week, and the general debate on defence on Thursday week will give Members an opportunity to raise the matter.

The right hon. Lady will know that the consultation on the post office network is still under way. She will also know that the issue has been raised repeatedly in Westminster Hall. The schedule for Westminster Hall debates shows what an important opportunity they provide for Members to raise questions about their localities.

As the right hon. Lady is aware, we have invested in the Post Office and are committed to further such investment, in contrast to the cuts—not cuts, but lack of subsidy—*[Interruption.]* We have invested public money in the post office network, and we remain committed to investing public money in the post office network. Under the regime of the right hon. Lady's party, there was no public investment in the network.

I can refute the right hon. Lady's suggestion that there is a threat to general practitioner or primary care services. Let me remind her of what has happened over the past few years. In my constituency, there used to be closed lists. People who had recently moved into an area could not get on to a GP's list unless they appealed, and once they were on the list they could not get an appointment for more than a week because the practice was so hard pressed. When they did manage to see the GP, the GP would be absolutely knackered because he or she was so overstretched—*[Interruption.]*

Mr. Speaker: Order. I must point out to the Leader of the House, and the shadow Leader, that we are entering a debate situation. I always think that business questions are best when Back Benchers are attentive. Let us leave it at that.

Tony Lloyd (Manchester, Central) (Lab): May I remind the Leader of the House that a number of our colleagues have suffered various forms of harassment, some of it from constituents, and have been stalked? Given the concern of many Members in all parts of the House about the possibility of Members' private addresses being put in the public domain, would the Leader of the House be able to consult the police and others about whether that is a wise move?

Ms Harman: The House authorities have consulted the police and the security services. As the House will know, following a freedom of information request the question of whether the private London addresses of 14 Members should be put in the public domain will be subject to case-by-case consideration in the context of security issues involving those individuals.

I know that there is concern in all parts of the House about two aspects of this matter. The first is the personal security of Members. The second, which I consider even more important, is the need for Members to feel absolutely confident that they can speak in the House on difficult issues without fearing that, when they leave the Chamber having spoken about what they believe in, they will have to look over their shoulders because their addresses are in the public domain. In that regard, the House authorities are seeking legal advice on whether or not the Freedom of Information Act provides an opportunity for the House to defend Members' right to speak without having to look over their shoulders thereafter.

Simon Hughes (North Southwark and Bermondsey) (LD): Following the exciting success of Barack Obama in winning the Democratic nomination and the strong showing by Hillary Clinton, and given that the Government are due to announce the publication of a White Paper on House of Lords reform—we have been given a date for that—may we have a full day's debate in the House so that, recognising the progress made by the Labour party in particular, we can discuss how we in Britain can modernise our political system to make it truly representative of both women and men, and of all our communities throughout the United Kingdom?

Will the Leader of the House also provide time for a debate on the 10th report of the Public Administration Committee, on the Government's draft Constitutional Renewal Bill, which was produced two weeks ago today? In particular, will she allow the House to put pressure on the Government so that we can get real opportunities to transfer power from the Executive to Parliament? The report says that there is only one proposal in the Bill to give more powers to the citizen. That cannot be what the public want, so may we have an opportunity to put pressure on the Government to change that?

This Friday, the hon. Member for Cardiff, North (Julie Morgan)—she was in the Chamber a moment ago—presents her Bill to give votes to people from the age of 16. Will the Government now come off the fence, and will the Leader of the House tell us today whether it is now Government policy that older teenagers should be able to take part in the democratic process, because they are subject to our laws and many of them would feel absolutely willing and able to participate in formulating those laws through the electoral system?

Lastly, we are about to have a very important debate on knife crime. Following on from that, will the Leader of the House consider having an online consultation on behalf of the House of Commons, between now and the end of next month, with the young people of Britain on how they might suggest that we make our homes, schools, colleges and streets safer, particularly from the threats of knife crime and gun crime? Like me, the right hon. and learned Lady is well aware that this is a very big issue in the homes of many of our constituents.

Ms Harman: The hon. Gentleman raised the issue of the US elections by way of a point about the House of Lords and the Constitutional Renewal Bill. Whatever the outcome of the Democratic nomination or the presidential election, I want to take this opportunity to pay my personal tribute to Hillary Clinton, who is and will remain a beacon to women across the world. The Justice Secretary has kept the House updated on our progress on Lords reform; we have already made progress and will continue to do so. He will update the House when it is appropriate. A Joint Committee of this House and the Lords is scrutinising the draft Constitutional Renewal Bill, and that will afford part of the scrutiny that this House will give to this important Bill.

The hon. Gentleman asked about older teenagers and their involvement in the democratic process. He will know that we have already reduced the age at which people can stand for election as a Member of the House of Commons or as a councillor, and that we have introduced citizenship classes in the national curriculum. We keep the voting age under review as one of a number of issues that we need to look at to increase participation in democracy across the board, and to tackle falling voter turnout and participation.

The hon. Gentleman made a sensible and thoughtful proposal on what more we can do to involve young people themselves in tackling knife crime. As he knows, there is a topical debate on knife crime in the House this afternoon, and no doubt we can explore his suggestion further.

Mr. Denis Murphy (Wansbeck) (Lab): Will my right hon. and learned Friend consider holding a debate on the benefits of regional railways? On Saturday, for the first time in 44 years, passenger trains will run from the towns of Ashington and Bedlington to Newcastle. Although it is a demonstration project, it will prove that for very little extra investment this valuable service could become permanent.

Ms Harman: I thank my hon. Friend for raising this issue. He has raised in this House on numerous occasions, and occasioned debates to be had on, the issue of railway passenger services in his constituency. I congratulate him on the success of his campaign for passenger trains to be reintroduced on the line between Ashington and Bedlington for the first time in 44 years. He has truly been a champion of his constituents.

Mr. Malcolm Moss (North-East Cambridgeshire) (Con): Will the Leader of the House please bring early-day motion 1349, which requests a statement on the upgrading of the A14 in Cambridgeshire, to the attention of her right hon. Friend the Secretary of State for Transport?

[That this House is alarmed by the 52 deaths on the A14 in Cambridgeshire in the last 10 years; notes with concern there have been 12 serious accidents on the trunk road this year causing two fatalities; is concerned at the delays and spiralling costs of long-proposed improvements to this lethal highway; congratulates the Cambridge News on its A14 - We Need Action Now campaign; and calls on the Government and Highways Agency urgently to commence the upgrading of the A14 to full dual carriageway and near motorway standard throughout Cambridgeshire to prevent more accidents, deaths and injuries.]

[Mr. Malcolm Moss]

The early-day motion has attracted all-party support and emphasises the urgency of upgrading the A14 in Cambridgeshire, which has seen 52 fatalities in the past 10 years and 12 accidents this year, including two fatalities.

Will the right hon. and learned Lady also remind her right hon. Friend that in an answer to me during Transport questions a few weeks ago, she did say that an announcement was imminent? We are still waiting.

Ms Harman: I will draw the points made by the hon. Gentleman to the attention of the Secretary of State for Transport.

Mr. David Winnick (Walsall, North) (Lab): Does my right hon. and learned Friend agree that next week, during consideration on Report of the Counter-Terrorism Bill, we will be dealing with one of the most difficult issues facing any democracy: fighting terrorism and at the same time trying to preserve our traditional civil liberties? Does she also agree that as far as Labour Members are concerned, we will be debating the case on the merits—be they those presented by our colleagues who support the Government, or those who, like me, are opposed to any extension beyond 28 days?

Ms Harman: My hon. Friend is right to say that this is a matter both of fighting terrorism and defending civil liberties—of getting the balance right. The House will have ample opportunity to debate this next week, and I remind him and all hon. Members on this side of the House that this is Government business.

Dr. Julian Lewis (New Forest, East) (Con): Since I last raised the question of the judges' dangerous decision that MPs' home addresses should all be published, the number of signatories to early-day motion 1620 has risen from 77 to 159.

[That this House believes that the home address of any hon. or Rt. hon. Member should not be published if he or she objects to publication on grounds of privacy or personal security.]

Every party in the House, including independent and minority parties, is well represented among those signatories. May we therefore have a debate on this topic, preferably with a vote at the end? That would enable me to lay before the House interesting facts such as that the Information Commissioner has gone out of his way to tell me that he never wanted the addresses to be published in the first place, that this was added by the appeal tribunal and the judges, and that I have just received a letter from the Minister of State, Ministry of Justice, the hon. Member for North Swindon (Mr. Wills)—the Minister with responsibility for freedom of information—in response to my freedom of information request for the publication of judges' home addresses. In it, he says that he is refusing the request because

> "High Court Judges, whilst certainly public figures, are entitled to a private life and levels of privacy that accord with this…It is my view that routinely to disclose the personal addresses of judges would breach their privacy and would be unfair."

Unfortunately, he does not say anything about security, which ought to be the overriding consideration in both cases.

Ms Harman: I commend the hon. Gentleman on his early-day motion, which I would indeed sign were protocol not there to prevent me from doing so. The point that he makes about judges is that it is right that their home addresses are not published because they need to mete out justice without fear or favour when they sit in court. I would think that something of the same argument applies to Members of this House. Our addresses should not be published so that we are able to speak freely on democratic issues of importance in this House without looking over our shoulders.

Dr. Phyllis Starkey (Milton Keynes, South-West) (Lab): May I first comment on the issues raised earlier in relation to the Planning Bill? As one of the four Select Committee Chairs involved in detailed discussions with the Leader of the House on the matter of parliamentary scrutiny during the proposed new planning process, I want to put on the record the helpfulness of those discussions, the real give and take and the real changes that are going to be introduced as a result of those discussions. That was the Leader of the House working with Select Committee Chairs in the most positive way, and it should be commended by all. Of course, two of the Chairs are Members of the Opposition, and I think they would agree with me on that.

I want to raise—*[Interruption.]*

Mr. Speaker: Order. That is not on.

Ms Harman: I thank my hon. Friend for her comments. As Leader of the House working with Select Committee Chairs, irrespective of what party they come from, it is indeed my responsibility to make sure that the House is listened to and responded to.

Mr. Mark Harper (Forest of Dean) (Con): Will the Leader of the House arrange for a debate in Government time on why the Department for Work and Pensions, through Jobcentre Plus, provides free advertising for sex clubs? Such a debate would give the House an opportunity to debate whether job advertisements requiring women to work naked or semi-naked on the national minimum wage constitute exploitation. I am sure that such a debate would be very helpful; the Leader of the House might even want the opportunity to put on record whether she condones such activities of the DWP; given her previous statements, I am sure that she does not.

Ms Harman: The hon. Gentleman raises an important issue, and I shall draw it to the attention of the Secretary of State for Work and Pensions. I had meetings with the former Secretary of State for Work and Pensions on the question of ensuring that those seeking jobs who have an obligation to take a job rather than remain on jobseeker's allowance should not be obliged to take a job in some lawful but sleazy activity. This is a difficult line to be drawn, whether in respect of lap-dancing clubs or escort agencies. I shall draw the matter to the attention of the current Secretary of State. There is also a question about the licensing of lap-dancing clubs. We must ensure that where the local community and the local council do not want a new lap-dancing club, the law ensures that they get their way in this respect.

Mr. Stephen Hepburn (Jarrow) (Lab): The Ministry of Justice announced this week the publication of a consultative document on compensation for pleural plaques sufferers, and that is to be greatly welcomed. Will the Leader of the House ensure not only that Members get a statement in the House from the relevant Minister on the proposals being put forward, but that we get a chance to participate in a full debate on this important issue, which affects tens of thousands of people in this country?

Ms Harman: Because of the efforts of hon. Members such as my hon. Friend, the Government have carefully examined the House of Lords decision on the question of pleural plaques. A debate on this matter took place in Westminster Hall this week, in which a number of Members were able to participate. A consultation process will start before the end of this month in respect of the Government's response to the concerns about the House of Lords judgment, and I know that he and other hon. Members will want to participate in that consultation, which is largely a response to their concerns.

Jo Swinson (East Dunbartonshire) (LD): Whichever way MPs voted last month on the abortion time limit, I am sure that they will share my concern at recent figures showing that the number of abortions is continuing to rise. Can we therefore have a debate on the Government's strategy for reducing the number of unwanted pregnancies and abortions, so that we can discuss why it is not working and how it can be improved?

Ms Harman: I understand that there has recently been a Westminster Hall debate on teenage pregnancies, but the hon. Lady makes an important point. Now that the House has decided not to change the time limit, that does not mean that we should leave behind the question of unwanted pregnancies and abortions. I think everybody would agree that if an abortion has to be carried out, it should be done as early as possible, but we want to reduce the number of abortions by ensuring that there is good motivation among girls to postpone pregnancy, that boys take responsibility, and that there is good sex education and good availability of contraception. That is what the House should be addressing now, and I shall look for an opportunity to allow that to happen.

Mr. Gordon Prentice (Pendle) (Lab): We know from the Royal Society for the Prevention of Cruelty to Animals that over the past 12 months there has been a huge increase in dog fighting and an explosion in the number of ferocious dogs on our streets. Such dogs just intimidate people, so can we have an early debate on the operation and continuing relevance of the Dangerous Dogs Act 1991, and on whether we should bring back a system of dog licensing?

Ms Harman: My hon. Friend makes a very important point, which I shall consider as a future subject for a topical debate. As he says, this is not just about cruelty to animals; it is about people striking fear into other people in the local community, and about antisocial behaviour bordering on criminality. We need to examine whether the law and enforcement mechanisms are satisfactory, and I shall look for an opportunity for us to do that.

Sir George Young (North-West Hampshire) (Con): When the Leader of the House examines the parliamentary week, would she agree that Thursdays have become the poor relation, because they have reduced attendance in the Chamber, fewer votes and fewer meetings of parliamentary Committees and all-party groups? Will she consider stretching the parliamentary week by moving Prime Minister's questions from Wednesdays to Thursdays?

Ms Harman: First, on the question of Thursday being a poor relation, we have a very important debate on knife crime today, and in a couple of Thursdays' time we will have an important debate on defence procurement and defence more generally. It is down to hon. Members to participate in, and be present for, debates on Thursdays. As to when oral questions take place, the timing of questions to all Departments and to the Prime Minister is always kept under review.

Mr. David Hamilton (Midlothian) (Lab): I welcome the inclusion of the equality Bill in the draft legislation programme. When that programme is introduced, will the Bill deal with age discrimination, which is rife throughout my constituency, as must be the case for all constituencies? At a time when our elderly population is growing, it is outrageous that elderly people are being discriminated against in areas such as the take-up of credit and so on. Such discrimination should be outlawed, and surely that should be in the equality Bill.

Ms Harman: I thank my hon. Friend for raising that important point. He will know that we have outlawed employment discrimination against people on grounds of their age, as part of our approach to tackling unfair discrimination and prejudice. As he rightly says, there is a growing number of older people, and they, too, should have fairness. We will bring forward our proposals in the equality Bill later this month, and I hope that he will be satisfied by what he sees.

Miss Anne McIntosh (Vale of York) (Con): May I raise a subject that I know will be close to the heart of the Leader of the House, and will she make time for a debate to which other colleagues who share my concerns can contribute? An ongoing case with which I am concerned involves a very popular local pharmacist in Vale of York. I understand that for the first time, under new procedures, a disciplinary action has been brought against her under the heading "fitness to practise". She wanted me to undertake any parliamentary proceedings that could expedite an amicable solution before the matter was taken before a legal tribunal. The problem was that the delay that I incurred in trying to obtain a reply to my initial letter to the Department of Health precluded any parliamentary proceedings pre-empting legal action. Could the Leader of the House look into Departments—not just the Department of Health—taking a very long time to reply to both my letters and those of hon. Members, because in this instance the delay could have made a difference?

Mr. Speaker: Order. The hon. Lady is raising a constituency case. Such cases are important to every hon. Member, but such a lengthy intervention during business questions is out of order. What I say to her is that there are opportunities to raise these things—Adjournment debates, parliamentary questions and others—and it is unfair if hon. Members take up lengthy periods during time that should be about next week's business.

Ms Harman: The hon. Lady raises two points of principle. First, I do not think it is right that parliamentary action should interfere with, or intervene in, what is a legal process, but I totally agree that Secretaries of State should give prompt replies to Members who are raising constituency issues. I shall undertake to get a reply to her letter to her this afternoon from the relevant Minister.

Ms Dawn Butler (Brent, South) (Lab): Yesterday, a petition was placed on the No. 10 website. It reads:

> "We the undersigned petition the Prime Minister to Force Brent Council to desist from it's present policy of closing and refusing new tenancies to community groups, in a cynical bid to raise capital."

Stonebridge day centre and Roundwood café are just two organisations that are facing closure. Does my right hon. and learned Friend agree that Brent, which is a Lib-Dem/Tory run council, uses the Government as a smokescreen to cover its disgraceful policies?

Mr. Speaker: Order. I am going to stop hon. Members doing this. These questions are about the business of next week; this is not an opportunity to attack a local authority. There are other opportunities to attack local authorities, although I am not advocating that; with a bit of ingenuity hon. Members could try it in other parts of the week.

Perhaps Mr. Mackay can keep in order—I know that he can.

Mr. Andrew Mackay (Bracknell) (Con): Returning to the business of next week, but not wishing to intrude on the private grief of Labour Members after Prime Minister's questions yesterday, may I call on the Leader of the House for an urgent debate next week on the proposed increases in vehicle excise duty, which will hit families on low incomes especially hard? It is likely to be this Government's poll tax, unless they change their mind.

Ms Harman: The right hon. Gentleman will know that there was extensive discussion of the matter in Treasury questions this morning. He will also know that our concern is to raise revenue fairly and to cut carbon emissions. The Chancellor also gave evidence to the Treasury Committee yesterday.

Andrew Mackinlay (Thurrock) (Lab): May we have a debate about the devaluation of the honours system by the automatic award of honours to top civil servants? Did my right hon. and learned Friend notice the parliamentary reply that showed that all the most recently retired 29 permanent secretaries got a knighthood, without discrimination, and four got a peerage? Is not that a devaluation, bearing in mind—to use the words of the right hon. Member for Maidenhead (Mrs. May) in quoting the Chairman of the Public Accounts Committee—that some of them presided over gold-standard cock-ups? It really is one in the face for ordinary people when these blighters get such awards.

Ms Harman: There is not an automatic award of honours. I know that my hon. Friend agrees that people who spend their lives dedicated to public service are valuable, and we need to pay tribute to them. We believe in people of the greatest talent and ability forgoing what sometimes could have been shed loads of money in the private sector to work in the public service. I for one am glad if they are recognised.

Hywel Williams (Caernarfon) (PC): A report this week shows that broadband speeds in rural areas are half those in London and the south-east. That is a considerable inconvenience to rural families and a hindrance to the development of business in rural areas. We also have not-spots, such as Rhiwlas in my constituency, which has no broadband provision at all. May we have a debate on the digital divide, which should be called digital inequality?

Ms Harman: This is something that I will bring to the attention of Ministers in the Department for Business, Enterprise and Regulatory Reform. It is an important issue not only for individuals, but for commerce.

Mr. Jim McGovern (Dundee, West) (Lab): May we have a debate about the tax on alcoholic drinks? While we should all obviously be concerned about binge drinking and its links to antisocial behaviour, the SNP, not for the first time, seems to have two positions on this issue—one for Edinburgh and another for London. In Edinburgh, it is talking about raising the tax on cut-price budget drinks—those within the reach of people on low incomes—but here in London, the SNP Treasury spokesman demands a freeze on deluxe spirits, specifically mentioning a 15-year-old malt, the Balvenie. Such a debate would allow us to expose this latest example of the SNP penalising the poor while pandering to the rich.

Ms Harman: Not so long ago, we had a debate on binge drinking and its contribution to antisocial behaviour, especially its connection with youth crime. My hon. Friend raises an important question about the taxation of alcohol, especially the issues raised north of the border, and I will bring that to the attention of my right hon. Friend the Secretary of State for Scotland, as well as other UK Ministers dealing with tax and health issues connected to alcohol.

Mr. John Redwood (Wokingham) (Con): May we have an early debate on tax poverty, now that the Government are driving so many people into despair over the ever-rising taxes, charges and impositions? That would give us an opportunity to expose the wasteful and needless expenditure on things such as unelected regional government, over-manned quangos, ID cards and computer schemes, and to offer some relief to people if only the Government would manage things better.

Ms Harman: Taxation and poverty are important issues, but I find it a bit much that that request should come from someone who voted for VAT on gas and electricity to be 17.5 per cent. I might consider that request if it came from someone else, but not from the right hon. Gentleman.

Mr. Roger Williams (Brecon and Radnorshire) (LD): Rapidly rising transport fuel prices are causing lots of concern across the country, but especially to people living and running businesses in rural areas. The Government are starting to realise the problems those people face because of the lack of public transport. There are measures open to the Government, so will the Leader of the House ask the Chancellor and the Secretary of State for Environment, Food and Rural Affairs to consider introducing measures on this issue, especially a derogation from the European Union, to reduce fuel prices in remote and rural areas?

Ms Harman: As the hon. Gentleman rightly says, the Government need to focus on quality of life and standard of living issues in rural areas. That means a focus on jobs, health services, education, support for businesses and public transport, as well as on the cost of fuel. I will draw his points to the attention of Ministers in the relevant Departments.

Mr. Edward Garnier (Harborough) (Con): Will the Leader of the House ensure that next Thursday's topical debate is on the Government's eco-town policy and that the Minister for Housing condescends to come to the House to be cross-examined by Members about her policies? So far the Minister for Housing has not answered a single debate. We have had two Adjournment debates—one that I was granted on 29 January and one granted to my hon. Friend the Member for Vale of York (Miss McIntosh) in Westminster Hall earlier this week—which were answered by the Under-Secretary of State for Communities and Local Government, the hon. Member for Hartlepool (Mr. Wright). He is no doubt an eminent Minister, but he was unable to give us any information of any value about the Government's policy or the particulars of the 15 sites so far identified. It is most important for our constituents that we have the Minister for Housing at the Dispatch Box to be cross-examined by effective constituency Members. So far, all she has done is give us a conference call that was not recorded. There is no transcript of that call, and that is bad practice, quite apart from being unconstitutional.

Ms Harman: I will bring the hon. and learned Gentleman's points to the attention of the Minister responsible for eco-towns, and I will also consider the matter as a subject for topical debate. If he thinks that it continues to be topical, I suggest that he drops me an e-mail and pursues that request.

Mr. Paul Goodman (Wycombe) (Con): The Leader of the House will have read early-day motion 1587, which was tabled by my hon. Friend the Member for Esher and Walton (Mr. Taylor) and is about the proposed sale by the Environment Agency of 22 lock-keepers' houses along the Thames.

[That this House is concerned about the Environment Agency's proposal to dispose by sale or letting of 22 lock-keepers' homes along the Thames; recognises the importance of lock-keepers being resident in homes adjacent to locks to maintain safety on the river; fears for the welfare of the lock-keepers and their families; and calls on the Government to ask the Environment Agency to re-examine its decision so as to protect this unique part of the nation's river heritage and the tradition of lock-keepers living at the site of locks.]

Will the Leader of the House find time for a debate on the motion so that those of us with constituencies adjoining the Thames can express constituents' concern about the effect of that proposal on river users, lock-keepers and their families, safety and the social ecology of the Thames?

Ms Harman: I note the points that the hon. Gentleman has made and suggest that he considers requesting a debate in Westminster Hall or on the Adjournment of the House.

Dr. Andrew Murrison (Westbury) (Con): Will the Leader of the House ask the Chancellor to clarify reports that sales of defence estates in Scotland, Wales and Northern Ireland will in future accrue to devolved Parliaments and Assemblies, rather than to the Ministry of Defence estate? She will understand that such a change would represent a significant defence cut and would be of grave concern to us all, especially in the current climate.

Ms Harman: As I understand it, there is no suggestion to change how the proceeds of the sale of defence estates are dealt with, but if I am wrong about that, I will ensure that the hon. Gentleman is written to and I shall correct the record.

Mr. Alan Reid (Argyll and Bute) (LD): May we have an urgent debate next week on the tender for the successor to the Post Office card account? There is a risk that the Department for Work and Pensions will take that contract away from the Post Office, but that would mean the closure of thousands of post offices, and pensioners on several islands in my constituency would have nowhere to collect their pension. The contract must stay with the Post Office.

Ms Harman: I will bring the points that the hon. Gentleman makes to the attention of my right hon. Friend the Secretary of State for Work and Pensions, and I shall ask my right hon. Friend to write to the hon. Gentleman on the points that he raises.

Mike Penning (Hemel Hempstead) (Con): May I reiterate calls for a debate on polyclinics? In particular, in my constituency the acute general hospital is closing and we are having a polyclinic imposed on us. That would sound quite good if it were not for the fact that the GP surgery 800 yd away will have to close because it will lose all its patients. Can we have a debate so that we can have the truth about polyclinics?

Ms Harman: On the question of primary care services in the hon. Gentleman's constituency, he has no doubt raised the subject with his primary care trust. If he is not satisfied with its response, perhaps he should seek a debate in Westminster Hall. Without getting into a debate, I would say that the Government's concern and our commitment are to improve primary care services. That is why we have trained and recruited more GPs, paid GPs more and ensured that patients in primary

[Ms Harman]

care services get better health care and better outcomes and are satisfied with the services that they get. There will always be disputes about exactly how services are provided, but nobody would think that we should stand still in the 1950s with one model of GPs' services remaining in perpetuity. There has to be change in order for improvement to occur, and we need to work together to ensure that, with the extra investment that the Government have put in, that is exactly what happens.

Mr. Stewart Jackson (Peterborough) (Con): May we have a debate in Government time on sentencing guidelines? Figures revealed via a freedom of information request this month show that in Cambridgeshire 389 individuals are subject to a failure to attend warrant. Of those individuals, 83 are category A—the most dangerous criminals, charged with offences such as assault, rape, kidnapping and so on. Is it not time that we reviewed the sentencing guidelines, particularly as magistrates and judges are put in a difficult position in that they cannot remand the most dangerous criminals in prison and have to give them bail, only for them to abscond? And while we are at it, can we also look at the funding for—

Mr. Speaker: Order.

Ms Harman: There will be questions to the Secretary of State for Justice on Tuesday, and perhaps the hon. Gentleman can raise his concerns then. A review of the question of bail is under way and is considering appropriate alternatives to custody, as well as how to ensure that people are remanded in custody in appropriate cases and that those who fail to attend are tracked down, brought before the courts and appropriately sentenced.

Mark Pritchard (The Wrekin) (Con): I hope that the Leader of the House will ensure that one of those alternatives is to allow local constituency MPs, local residents and local councils to be consulted prior to the installation of bail hostels in constituencies. It is completely unacceptable that despite questions to the Ministry of Justice, my constituents remain in the dark about how many bail hostels there are in my constituency and about who is being kept in those bail hostels.

Ms Harman: If this is about a registered bail hostel with a measure of security, as people are required to be subject to certain conditions, such as not going out at certain times of the day, consultation is required on the existence of such bail hostels or indeed any plans for new bail hostels. I think that there has been confusion about the question of people who, if they had a home to go to, would be remanded to return to it. Such people are not remanded in custody, but instead go to supportive accommodation. Such accommodation is not a bail hostel as such, and in such cases the services and agencies have a responsibility to consult each other. Beyond that, it is simply at the discretion of the local authority to decide whether it wants to consult the local community. If the hon. Gentleman wants to propose a different regime for change of use and planning and wants to have a different planning classification for the sorts of accommodation that I have talked about, which are really little dissimilar to someone going home to live with mum, then he ought to make that proposal.

Mr. Mark Lancaster (North-East Milton Keynes) (Con): Can we have a debate on education? Perhaps then we could discuss the state of education in Milton Keynes and the news we have heard today, which was released only under the Freedom of Information Act 2000. That news was that as a direct result of the net £22 million Government cut in funding for schools in Milton Keynes, eight new schools that are desperately needed to cope with the expansion of Milton Keynes will not be built. Why are the Government forcing Milton Keynes to expand but refusing to fund our schools?

Ms Harman: The Government are not refusing to invest in schools. There has been a threefold increase in investment in schools across the board. Obviously, it is important to ensure that there is planning ahead. Over the next three years, the Government will invest more in school building than was invested for the whole 18 years of Conservative government. We have to prioritise areas where there is an expansion in the school-age population and we have to prioritise deprived areas. His party has said that it would cut investment in schools, but I will none the less bring his point to the attention of the Secretary of State for Children, Schools and Families. I know that the other Member of Parliament for Milton Keynes, my hon. Friend the Member for Milton Keynes, South-West (Dr. Starkey), has done so, too.

Mr. Graham Stuart (Beverley and Holderness) (Con): May I join other Opposition Members in calling for a debate on the taxation of the poor? Even before the 10p tax abolition fiasco, the lowest paid in this country were paying higher rates of tax than the richest. Can we have an urgent debate so that Members from all parties can ask Labour Front Benchers why, in the 12th year of this Government, that ridiculous and oppressive state of taxation is hitting the poorest in the land?

Ms Harman: We have just had Treasury questions. Yesterday, the Chancellor appeared before the Treasury Committee. Such questions are raised every week with the Prime Minister. I am sure that the hon. Gentleman will agree that the subject is never far from the concerns of all Members from all parties.

Mr. Peter Bone (Wellingborough) (Con): Last year, there were a staggering 64 programme motions. At the last business questions, the Leader of the House said that

> "whenever a programme motion is tabled, there is an opportunity for Members to debate it and to say whether they think it is appropriate…There is always an opportunity to debate a programme motion".—[*Official Report*, 22 May 2008; Vol. 476, c. 409.]

Under Standing Order No. 83A(7), the question on a programme motion is put forthwith without debate. Unless the Leader of the House was proposing a change to Standing Orders about programme motions, will she make a statement during next week's business to correct that information?

Ms Harman: That is a good point. I looked into it, but I cannot remember what I found out. I will look into it again and not only remember what I found out but report it back to the House. The House will have another opportunity to debate a programme motion next Tuesday in relation to the Counter-Terrorism Bill. I am sure that there will be a full debate.

Mr. Philip Hollobone (Kettering) (Con): Can we have a statement next week from the Minister responsible for fire safety about what steps the Government will take to amend building regulations, part B, to reduce the fire risk from faulty domestic electric circuitry? Following the launch of the important campaign by the *Northamptonshire Evening Telegraph* to get more smoke alarms fitted, the Electrical Safety Council wrote to me to say that one fifth of domestic fires are caused by faulty electrical circuitry, causing some 30 deaths and 4,000 injuries a year.

Ms Harman: I agree absolutely with the hon. Gentleman's points. I shall bring them to the attention of the relevant Ministers. I am glad to see that he is clearly of the view that in such cases regulation does not mean the nanny state but saves lives.

ROYAL ASSENT

Mr. Speaker: I have to notify the House, in accordance with the Royal Assent Act 1967, that Her Majesty has signified her Royal Assent to the following Act:

Child Maintenance and Other Payments Act 2008

TOPICAL DEBATE

Knife Crime

Mr. Speaker: Before we start the debate, I must ask Members to be careful in any reference that they make to specific incidents of knife crime where charges have been made or where any court proceedings have not been completed.

12.29 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. Vernon Coaker): I beg to move,

That this House has considered the matter of knife crime.

This is a very important and opportune debate, and the whole House would agree that the murders of 15-year-old Arsema Dawit and anti-gun crime campaigner Pat Regan over the weekend are deeply tragic. My sympathies and those of everyone will be with their families and loved ones, as well as with those of all the other victims of crime. Looking around the Chamber, I see Members whose constituents have been affected by such crime.

No doubt, we will rightly consider in the debate the impact of knife crime, particularly with respect to young people, but I promised the young people at the NCH children's charity event that I visited in Hackney this morning that I would say that we should start by saying again that not all young people carry knives and that the vast majority of young people in this country are decent, obey the law, work hard and are a credit to themselves and their families. It is important to make that clear in this context.

Ms Karen Buck (Regent's Park and Kensington, North) (Lab): Does my hon. Friend agree that many young people, sadly and foolishly, carry weapons because they are frightened and that there is a culture of fear on the streets? Does he also agree that it might be time that some neighbourhoods, such as those where three young men have tragically died on the streets of my constituency, deserve a higher safer neighbourhoods and reassurance policing presence than others where there is simply not that risk?

Mr. Coaker: My hon. Friend has worked extremely hard with her local community and local police to deal with some of the tragic incidents that have occurred, and we have spoken about the issue. I agree that, of course, the police, the local authority and other agencies in any area need to ensure that they target their resources where they are most needed. Indeed, that is part of the lesson that we learned from the tackling gangs action programme—a taskforce that we set up—where we targeted resources on gun crime in certain areas of the country. That is true of gun crime, and it is true of knife crime. Of course, it is the case that individual police forces can direct their resources to where they will have the most impact. I agree with my hon. Friend.

Mr. David Evennett (Bexleyheath and Crayford) (Con): I totally agree with the Minister's opening comment that the great majority of young people are law-abiding and well behaved. However, today, we are

[Mr. David Evennett]

considering how we can tackle the minority. With 32 per cent. of schoolchildren admitting to carrying knives, according to a recent MORI poll, does he believe that an advertising campaign, however well intended, will have any discernable effect?

Mr. Coaker: I absolutely accept that an advertising campaign is not sufficient on its own, but an advertising campaign—such as the one that we launched last week, which was designed by young people, who advised us on what they thought would be the most appropriate campaign—can certainly play a part. I think that, as I go through my speech, the hon. Gentleman and most people will agree that this is a case not of one solution or the other but of all the different parts fitting together to form a strategy.

Although such incidents are tragic, it is worth saying that the overall number of people killed with knives or other sharp instruments over the past few years has remained stable. The problem now is that the police are catching more and more young people carrying knives, and many of us are worried that a culture is emerging in some areas, where it is deemed acceptable to carry one. There is increasing concern about the lower average age of both the perpetrators and the victims of knife crime.

Kelvin Hopkins (Luton, North) (Lab): Just a year ago, my constituent, Police Constable Jon Henry, was stabbed to death. He was a fine police officer and a devoted family man, who was loved and respected by all who knew him. Since then, an individual has been detained under the mental health Acts, but I cannot comment on the case because it is sub judice. Will my hon. Friend say how the Government propose to protect people, particularly police officers, from those who suffer from serious mental health conditions and serious personality disorders who perpetrate some of those crimes?

Mr. Coaker: Without commenting on that case, although I recognise the awfulness of what happened, I can say that the Government are considering, with other agencies, how we can ensure that dangerous people are not released on to the streets and how the management of people with mental health problems can be made effective, to ensure that we do not unnecessarily put people at risk because of mental health problems. A more rigorous use of the existing system and rigorous management of the tools available to us are relevant to addressing that risk.

Although the number of people caught with a knife has risen, the number sentenced for that crime has increased significantly from 890 in 1996 to 6,284 in 2006. In the same period, the number of those under the age of 18 sentenced for possession of a knife in a public place has risen from 114 to 1,226. However, we are absolutely determined to clamp down on the carrying of knives, which, as we all know, all too frequently leads to serious injury and sometimes fatal consequences.

We are concerned about the number of cautions issued. In 2006, there were 10,217 cautions for possession by those of all ages, but, as the Prime Minister announced this morning, anyone over the age of 16 caught in possession of a knife can now expect to be prosecuted on the first offence. Under-16s can still expect to receive a caution if there are no aggravating factors, such as being in or near a school or being involved in gang activity, but, apart from just that, they can also expect to be referred to a knife education scheme to help them to understand the dangers and consequences of carrying knives, and their parents will be informed and may receive parenting orders to ensure that they play their part in changing those young people's behaviour.

Mr. Lee Scott (Ilford, North) (Con): Will the Minister join me in congratulating groups, such as Hainault Youth Action and the Open Door project in my constituency, on getting the very youths whom he met this morning off the streets and into activities, discouraging them from getting involved in knife crime and getting them involved in the community, to the benefit of all, including their own safety?

Mr. Coaker: To be fair, the hon. Gentleman makes an important point. The police or schools cannot solve the problem on their own, and the sort of voluntary organisation activity that he mentions is extremely important. Sometimes, the most effective work is done by those community-based organisations—all hon. Members can point to such effective organisations in our constituencies. The challenge for us all is to ensure that some of them receive not only, funding but long-term sustainable funding. We need to find a better means of doing that, as it would help voluntary organisations, such as those mentioned by the hon. Gentleman.

Mr. John Redwood (Wokingham) (Con): On a related point, is not the problem primarily one of feral youths in gangs going armed? If they are prevented from going armed with knives, they might go armed with something else. We need to concentrate on how concerned adults somewhere in their communities—parents, relations, teachers, youth workers or whoever—gives them a purpose for living, other than going out on the streets and causing trouble.

Mr. Coaker: Again, that is a perfectly reasonable point to make. Indeed, the young people whom I met this morning made the point that good role models are needed, that people need to be responsible for young people and that their roles and those of schools, voluntary organisations and faith organisations are crucial. However, as well as all that, we are trying to put across the message that there must be a deterrent in the law, so that people also know that the expectation is that they will be prosecuted if they carry knives. That, as well as the other measures that the right hon. Gentleman refers to, is an important part of our work in trying to attack the problem.

We are also putting in place local targeted action to reduce knife crime. The tackling gangs action programme showed that focused action on specific areas really works, which is the point made earlier by my hon. Friend the Member for Regent's Park and Kensington, North (Ms Buck). It set a template for joined-up working by bringing together community groups, Departments and local delivery partners with some excellent results. We will take forward that type of organisation and template by intensifying our knife crime work in seven areas.

Key elements of that work will include providing extra search equipment to the forces involved; fast-tracking the knife referral project, which is a course for young people convicted of a knife-related offence designed to increase their awareness of the consequences of knife crime; re-enforcing parental responsibility; introducing home visits and letters to parents of those young people known to carry weapons in the area; and developing new or strengthening existing youth forums, to give young people the opportunity to speak directly to the police and other statutory bodies. As I have already said, tackling the issue does not stop at the door of any organisation or Department.

Mr. Gordon Prentice (Pendle) (Lab): In his list of seven points, the Minister did not mention metal-detecting equipment, which was supposed to be put in place in schools. I remember that there was a Government announcement on that some months ago. How many schools in areas that are being ravaged by knife crime have metal-detecting equipment in place?

Mr. Coaker: I shall see if I can find out the answer to that question before the end of the debate; I could not tell my hon. Friend exactly how many schools are involved. However, the power for head teachers to search has been extended, and of course they can delegate that power to teachers in their schools. It is open to schools to use that power, if they feel that that is appropriate in their area. One would expect them to work with the local community to do that. My hon. Friend makes an important point. The Government will work with schools to ensure that that can be delivered, where appropriate, and if the measure is felt necessary and is agreed by the school and the local community. On his specific question, I shall see whether I can get the number to him by the end of the debate.

We need to deal with all aspects of the problem, including prevention, education, diversion, family and health. Our strict enforcement and tough legislation serve to capture all who flout the law, irrespective of age or where they come from. We have already increased the maximum sentence for carrying a knife—not for using it, just for carrying it—from two to four years in prison. We know that the judiciary shares our view that carrying a knife is a serious offence. Sir Igor Judge, one of the most senior judges in the country, stated in a recent judgment:

> "Every knife or weapon carried in the street represents a public danger and, therefore, in the public interest, this crime must be confronted and stopped."

I welcome and support Sir Igor's comments.

Bob Russell (Colchester) (LD): Welcome though that is, will the Minister confirm that knife crime is three times more prevalent in society than gun crime, but that the criminal justice system still treats knife crime less seriously than gun crime?

Mr. Coaker: The hon. Gentleman has consistently made the point well that knife crime is much more prevalent than gun crime, serious though gun crime is. I agree that it is important that knife crime be treated extremely seriously by the courts; that is what I was trying to suggest from the remarks of Sir Igor Judge. I am talking about not just occasions on which a knife is used, because that obviously results in other charges, too, but about the possession offence. The message being sent by the Prime Minister and the Home Secretary, who spoke earlier today about the expectation of prosecution for 16 and 17-year-olds, and the comments of Sir Igor Judge will mean that, for possession offences, the courts will now give cautions as an exception, whereas previously they were used more often than not.

Kelvin Hopkins: My hon. Friend is right to focus on the problem of knife crime among young people, but there is another aspect to it, to which I referred earlier. Does he have statistics on what proportion of knife crime is committed by people who suffer from serious mental health disorders and personality disorders?

Mr. Coaker: If I am to do justice to my hon. Friend's question, I probably ought to look into the matter and write to him about it. I do not have to hand the number of people involved in knife crime who have specific mental health problems. Suffice it to say that much of the knife crime that we discuss in the House and that is rightly discussed in the media is street knife crime. We know that knives are used in lots of domestic violence incidents and lots of family incidents—they are a significant part of knife crime. I will look into the incidence of knife crime among people with mental health problems, write to my hon. Friend and place a copy of the letter in the Library, so that other hon. Members can look at it.

Dr. Julian Lewis (New Forest, East) (Con) *rose—*

Mr. Coaker: I am eating into everybody else's time, but of course I give way.

Dr. Lewis: I thank the Minister for giving way. Obviously it sends a good signal to society when a maximum sentence is doubled in the way that he has described, but am I right in thinking that people will still be released halfway through that doubled sentence? Are we not giving with one hand and taking away with the other? On the one hand, we are sending the message to society that we will be tough, but on the other we are letting people out halfway through the sentence, and that negates the message that we are trying to send.

Mr. Coaker: According to our understanding, people are released halfway through the sentence if they present no danger. The problem at present is not so much the one that he describes; the fact is that very few people receive the maximum sentence of four years, irrespective of the argument that he puts forward. I do not want inappropriate sentencing, but it has to be said that the courts need to consider the four-year sentence available to them when making sentencing decisions.

Mr. Philip Hollobone (Kettering) (Con): We are in danger of isolating knife crime and of trying to treat it on its own, but I suspect that there is a strong correlation between the leader of the pack who carries a knife, the leader of the pack who throws a brick through a bus shelter window, and the leader of the

[Mr. Philip Hollobone]

pack who sets fire to school premises during half term. All those youthful crimes need to be dealt with as a whole; I urge the Minister to do that, rather than just highlighting knife crime.

Mr. Coaker: I agree, and that is what we have tried to do. Our youth crime action plan, which will be published in a few weeks, will try to bring all those issues together. The hon. Gentleman makes a reasonable point, but as I have said, there is a specific issue with knife crime, and that is what we are dealing with, although I agree that the other crimes that the hon. Gentleman mentions need to be dealt with, too. I also understand his point that there is usually a ringleader. Often, someone in the group is the persistent offender whom the system needs to grip more firmly. They sometimes get other people involved, and they sometimes become the sort of negative role model that we do not want. A couple of weeks ago, the Home Secretary announced the work that is going on with the police to ensure that we more effectively target persistent offenders, who may be of exactly the type to which the hon. Gentleman refers.

Simon Hughes (North Southwark and Bermondsey) (LD): I think that the Minister and others accept that all the evidence shows that the increase in the number of youngsters who go about tooled up, either with a knife or with another instrument, is due to fear that they will be attacked. Is the Minister willing to take on an idea that other Ministers have been positive about, namely that where local authorities are willing to collaborate, we have a much more extended network of detached youth workers on the street, funded ward by ward, or community by community? They could spot incidents happening on the ground, identify the people concerned, and intervene pre-emptively, rather than wait until there is an incident and it is too late.

Mr. Coaker: I agree, and that is my point about the fact that we cannot just have one focus in tackling the problem. Detached youth workers, and the money that the Department for Children, Schools and Families is trying to push down to local authorities so that they can deal with the issue, are important ways forward. In addition to detached youth workers, as used by local authorities, voluntary organisations are important. The hon. Gentleman will have seen, as I have, the work of street pastors and other such people, which is fantastically effective. We need to support that type of activity, too.

Mr. Andrew Love (Edmonton) (Lab/Co-op): I apologise to my hon. Friend for not being here at the start of the debate. I congratulate the Prime Minister, and indeed the Minister, on this morning's announcements that highlight the issue and the seven-point plan. I also congratulate the Mayor of London, who admitted in a statement yesterday that there is real difficulty in getting to the core of why such crimes are committed, and that is what my question is about. Research is being carried out on gang culture and the real frictions at street level between kids in different communities. That is incredibly important work. I have had five teenage murders in my constituency since the turn of the year, three of which were committed on the street as a result of friction between gangs. Will the hon. Gentleman carefully consider extending that programme of research, so that each and every local authority can have some idea of the level of gang culture that is leading to such crime?

Mr. Coaker: That is an extremely important point, and we need to look at that research. We also need to understand much better the dynamic of gangs, what we mean by gangs, as opposed to collections of kids on the street, and other such issues. A lot of work needs to be done. I will look carefully at the matter, share the results of that research with my hon. Friend, and try to take it forward.

I congratulate the Metropolitan police on the very successful Operation Blunt. Operation Shield is also being run by the British Transport police. To date, we have funded almost 100 search arches and 350 wands, and we are committed to extending that in the police forces with which we are working. They will be receiving additional funding as part of the various package of measures. The use of search equipment has had a positive impact in London.

The emphasis has been on enforcement, but I should like to conclude by saying that we also fund various voluntary programmes and diversion work in the community. The response cannot be enforcement alone. That must be combined with education, increased parental responsibility and work with youth organisations. For too long, such public policy debates have been plagued by the participants being categorised as tough law enforcers or wishy-washy liberals. Frankly, all those things need to be—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order.

12.50 pm

James Brokenshire (Hornchurch) (Con): The scourge of knife crime has touched the lives of too many families across the country. It is impossible not to have been deeply moved by the individual tragedies detailed, with appalling regularity, in the newspapers and on the television—a sentiment which I know is shared in all parts of the House. I join the Minister in sending a message of condolence to the families of all those affected by such shocking and appalling incidents. I also join him in sending out a message from the House that that is not to suggest that all young people are lawbreakers. We have so many fantastic young people who contribute so much to their communities, and it is right and proper that that message should go out loud and clear from here. Those same young people often end up the victims of terrible crimes.

We need also to send out a strong message from the House that knife carrying in our communities is unacceptable, and that we will take all appropriate steps to confront and control knife crime. I make it clear from the outset that the Opposition will support any measure that will be effective in tackling the growth in knife offences.

Sir Igor Judge, the president of the High Court, Queen's bench division, in his recent Court of Appeal judgment gave a clear and powerful statement on the current disturbing situation when he said:

> "Offences of this kind have recently escalated. They are reaching epidemic proportions."

Action has been slow in coming. Last year, 258 people lost their lives in incidents involving the use of a knife or other pointed weapon—up by nearly a fifth on the previous year and by more than a quarter on the number of such offences 10 years ago. According to the centre for crime and justice studies at King's college London, there were 64,000 muggings in which a knife was used last year—more than double the number two years before. Home Office research indicates that there are around 500,000 young people carrying knives on the streets, and an earlier Youth Justice Board study suggested that more than a quarter of young people in school admitting to carrying a knife.

Policing and enforcement are essential in combating this serious problem. That is why the action that the Mayor of London and Chief Constable Bernard Hogan-Howe in Merseyside, for example, are taking is so important to ensure detection. But knife arches and mobile scanners should not be isolated initiatives. The risk of getting caught with a knife must be a real factor in the mind of someone getting ready for a night out, and that means the police making proper use of powers to stop and search.

When offenders are caught, they should normally be prosecuted and receive the most severe sentences appropriate. Fines are an inadequate deterrent. Frequently, if the crime involves a young person, fines are paid by the parent and not by the youth responsible; more often, they are not paid at all. A caution does not recognise the seriousness of the offence. In 2005 and 2006, nearly 6,000 people were dealt with by a caution or a warning alone for the possession of a knife. There should be a presumption that offenders receive a custodial sentence or a tough, enforced community penalty, not a so-called unpaid work requirement that is not even completed.

Simon Hughes: I do not dissent from much that the hon. Gentleman says, but does he accept that some youngsters who carry a blunt instrument or a knife do so under pressure from their peer group—from their mates—and carry it for someone else? We must be careful not to institutionalise, send away and criminalise those who are not the gang leaders or the motivators, but who get dragged along by the much more evil and malicious intentions of others?

James Brokenshire: There needs to be a presumption that such matters should be dealt with by the court. The culture of dealing with such incidents through cautions has been one of the fundamental problems and failures of the Government's approach in the drive to summary justice. Clearly, there needs to be flexibility for police officers at local level, but the presumption should be to go to the courts rather than deal with the issue by way of cautions.

Mr. Evennett: My hon. Friend is making a powerful case, and I am listening with great interest. Is he aware that evidence indicates that many young people are carrying knives because they are worried about being victims of crime?

James Brokenshire: My hon. Friend makes an important point, which I shall come to later in my speech. How we tackle the problem of people feeling that they are not safe in their own community is one of the key factors in dealing with knife possession.

It is telling that between 1997 and 2006, just nine people out of more than 47,000 convicted of carrying a blade in a public place received the maximum custodial sentence, as it was then, of two years. Even with changes to sentencing, the Government's early release scheme means that offenders will not stay inside for long. Violent offenders are being released on to the streets early, before half of their sentence has been served.

Last week the Government launched a new initiative with a hard-hitting advertising campaign designed to shock young people out of carrying knives on the streets. Although prevention through education and advertisements is an important strand, it will work only if it is part of a wider package of measures to tackle the problems of social breakdown, drug abuse and binge drinking, which have become significantly worse under the present Government. The initiative will be effective only if people's experience of being in their communities is not one of risk and danger.

Mr. Redwood: My hon. Friend is making an extremely important point. Does he agree that if the Government are thinking of introducing more legislation in this field, they need to deal with the problem that there are many everyday items other than knives which, in the wrong hands, can be wielded as weapons, and that, on the other hand, knives and other domestic utensils can be lawfully used and we should not make it impossible for the law-abiding to make lawful use of them?

James Brokenshire: My right hon. Friend makes an important point, which is why there is a limit to the use of wands and knife arches as a means of identifying the presence of weapons. However, I do not underestimate their importance: the use of wands in stop-and-search is an important way of conducting some of those searches. He is right—the police need to have discretion in how they conduct their operations. In recent years they have been too heavily hemmed in by targets and the culture surrounding them.

Keith Vaz (Leicester, East) (Lab): The hon. Gentleman is right to raise all the points that he has. He has obviously not had the chance to see the evidence on alcohol given by some of the supermarkets to the Select Committee yesterday. Does he agree that there is a responsibility on those who sell alcohol to make sure that it is not readily available? We should look at how much alcohol is sold at a discount or as a loss-leader, which provides young people with the opportunity of buying alcohol very cheaply, which contributes to the number of knife-related incidents.

James Brokenshire: The right hon. Gentleman makes an important point. Although I was not able to attend his Select Committee, I heard a report from it. I agree that loss-leaders and sales of alcohol below cost are relevant factors, which is why I argue that we should regulate to outlaw the below-cost selling of alcohol. In some cases, alcohol is almost cheaper than water. Cost is an important issue, as is supply. Local authorities should have the powers that they need to crack down on licensing, which sadly has not been the experience following the introduction of the Licensing Act 2003.

Kelvin Hopkins: I strongly support the theme of raising the price of cheap alcohol, but does the hon. Gentleman accept that prohibiting below-cost sale is not good enough? Alcohol is still quite cheap for supermarkets. Even if they sold it at cost, it would still be too low in price. Does he agree that there should be a minimum price for alcohol, as well as strict enforcement of who is able to buy it?

James Brokenshire: I do not agree with the hon. Gentleman on minimum prices. We should look at below-cost sales, but also at specific products that may be linked to binge drinking. That is why we support a targeted approach to taxation, focusing on those products most closely associated with the underage sale and excessive consumption of alcohol that, sadly, leads to violence on our streets and to real pressures on accident and emergency units, which are having to pick up the pieces as a consequence of the Government's general approach to licensing.

On safety, the picture among young people is not good. According to a recent report by the children's charity NCH, becoming a victim of crime, particularly violent crime, is a real fear for children and young people growing up in the UK today. The NCH report suggested that nearly half of all young people do not feel safe at any time, with one in five saying that they sometimes or often feel in danger. Part of the solution lies in strengthening communities, and neighbourhood policing is an essential element of this, but how committed are the Government to the community policing model? The Flanagan review says that current police numbers are apparently unsustainable, so what guarantees can the Minister give that front-line community policing will not be hit, given that the Government have welcomed the Flanagan review and, by implication, the potential cuts in policing that might sit within it? It is no good the Prime Minister and the Home Secretary issuing press releases and doing walkabouts promoting neighbourhood policing if they are not able to commit to it in the future.

The Minister for Security, Counter-Terrorism, Crime and Policing said in a recent interview that the Government had reached the "end of the road" in legislation to tackle knife crime. He and the Government may have reached the end of the road, but we would legislate if required. In particular, we would give police sergeants at the heart of community police teams a new authorisation to conduct stops and searches for up to six hours in specific areas where they believe—they are most likely to know their communities the best—that weapons are being carried or that an act of serious violence is about to occur. Such a measure has the support of the Police Federation.

Ms Dawn Butler (Brent, South) (Lab): The hon. Gentleman makes some powerful points on knife-carrying and what the police have to do. I wonder what he thinks of this statement:

> "You may want to take knives in your picnic hamper to cut the fruit, or have a knife on you to cut your lunchtime roll at the office. On a country walk you might want a knife to fashion a stick or toy for children in your party."

How important is it that we curb such comments?

James Brokenshire: The issue is unlawful knife-carrying. The law is quite specific: one must not have unlawful purposes for carrying knives. It is understood—the point was made earlier by my right hon. Friend the Member for Wokingham (Mr. Redwood)—that there will be other circumstances in which knives are carried, but if there is the unlawful carrying of knives on our streets, we must confront it firmly and clearly. That is at the heart of the debate this afternoon and why there needs to be the presumption of prosecution, rather than going down the route of issuing a caution or lesser sanction through summary dismissal.

Mr. Tobias Ellwood (Bournemouth, East) (Con): I am very grateful to my hon. Friend and apologise for joining this important debate late; unfortunately, other parliamentary business kept me away from the Chamber. Following the hon. Lady's comment, does my hon. Friend agree that there is a difference between someone going out with the intention of using a kitchen knife to cause harm and someone going fishing and having a knife for the purposes of their sport? Those are two different scenarios. We need to establish why someone feels the need to carry a knife to protect himself, compared with somebody who uses it for a form of sport. To ban knives completely would miss the point entirely.

James Brokenshire: My hon. Friend makes his point very well. The real question is why people feel they need to carry knives on the street in everyday circumstances. The fact that they do not feel safe in their own communities says an awful lot, which is why community policing is so important. That is why we would cut the form filling, the bureaucracy and the central targets that prevent the police from doing their job effectively and from providing the reassurance that so many communities desperately need.

Mr. Hollobone: The statistics that my hon. Friend has given about the number of young people who feel unsafe in their communities are shocking. I would be surprised if many of those arrested or prosecuted for being in possession of a knife were coming into contact with the police or other authorities for the first time. Are the troublemakers—the leaders of the pack—not being dealt with seriously enough, early enough, before they reach the stage at which they carry a knife in public?

James Brokenshire: My hon. Friend makes a powerful point. We must deal with offending early enough and effectively enough, which is why I am critical of the Government's approach. Their Respect agenda has been put out to pasture, because that is not happening. If we look at the offenders involved, we will see a pattern of offending; by the time they get to the offence in question, they are inured to the criminal justice system. It is then much harder to turn things around as they have not been dealt with properly from the outset.

Mr. Love: Will the hon. Gentleman give way?

James Brokenshire: I want to make some progress, as I am getting into injury time.

We fully recognise that the criminal justice system alone cannot solve this problem. Addressing the roots of social breakdown requires long-term social action. Dealing with family breakdown, reforming welfare, tackling gang culture and improving discipline in schools are all important long-term components of a strategy to tackle violence in our communities, but none of these actions should stand in the way of more rigorous enforcement and stricter penalties.

The sad fact is that the Government have lost their way on tackling this most serious of crimes. The Prime Minister is now belatedly talking about prosecutions for knife possession, but only after 6,000 cautions and warnings have been issued in just two years. Home Office Ministers used to talk about the importance of knife amnesties until it became clear that the most common knives out on the street can be found in the kitchen drawer.

The Government used to believe that violent crime was about specific people in specific areas; now they appear to accept that there is a much wider societal problem. The Government even voted against Conservative proposals to increase the sentence for knife possession to five years, only to do a U-turn on increased sentences later. The Prime Minister's statements today on more prosecutions for knife possession are the latest admission of failure. It is an acceptance that the policy agenda of a slap on the wrist rather than a conviction before the courts was fundamentally flawed. The Home Office was wrong. The Government were wrong. The Prime Minister was wrong. We will not forget and neither will the public.

1.8 pm

Keith Vaz (Leicester, East) (Lab): It is always a pleasure to follow the hon. Member for Hornchurch (James Brokenshire). We served together for a short time on the Justice Committee before we went our separate ways. He was quite right in his analysis of the problems that face our country on knife crime. At the end of his speech, he of course made the normal attack on Government policy. We expect that; we cannot expect a bipartisan approach throughout the speech, but his analysis was similar to that put forward by the Minister: we do have a serious problem with knife crime and it is important that we as a nation should debate it, but also that we should take specific action.

Many of the points made by the hon. Gentleman and the Minister are ones that everyone in the House will agree with. We may have different emphases on how we would like to see these matters pursued, but we agree that something pretty dramatic has to be done about this situation. That is why I welcome the summit held this morning at Downing street, when the Prime Minister, with representatives of the Association of Chief Police Officers and the Home Secretary, set out a clear strategy as to what the Government are proposing to do about this important issue.

To whom do we owe that strategy? We owe it, of course, to the country, because we are legislators. However, we also owe it to people such as Arsema Dawit, the young woman stabbed to death on Monday of this week. We are parents of young children, as well as legislators; the hon. Member for Hornchurch has young children, as I do. The fear that children such as ours may go out at night on to the streets of London, catch a tube or bus and not return home because they have been stabbed should concentrate all our minds.

The commitment by the Prime Minister, the Home Secretary and the Government to change the presumption about people's ability to carry knives is extremely important. It is vital for us to understand that when a person goes out with a knife intending to cause harm, it is right and proper that they should be stopped and prosecuted. That should not be prevented from happening just because that person happens to be under the age of 18. That presumption is important.

Simon Hughes: I do not dissent at all from what the right hon. Gentleman has said. Does he agree that things can be done in addition to the measures that have been announced and other initiatives, such as that of the Home Affairs Committee when it took evidence on young black youths in this country? If we are to get the messages from the young people concerned, we could consult them as broadly as is possible. Will the right hon. Gentleman reflect on whether, between now and the end of July, his Committee—with the Leader of the House, who is positive about the idea—could hold, on behalf of Parliament, an online consultation with youngsters aged under 18? In that way, we could get their views on how they think they can help themselves, their neighbours and friends.

Keith Vaz: I am delighted to accept that suggestion. I shall have to put it to other members of the Home Affairs Committee, two of whom are here today. As part of our current inquiry into policing, it would be an excellent way of finding out precisely what young people think about the issue of policing and knives.

Ms Butler: The hon. Member for North Southwark and Bermondsey (Simon Hughes) has raised a valuable point. I have launched a website, mylifemysay.co.uk, to which young people can log on and have their say about issues that matter to them. In Democracy week in October, young people will be invited to the House of Commons to have a debate and set an agenda that we expect all politicians from all parties to listen to and take on board.

Keith Vaz: I was not aware of that. As always, my hon. Friend is campaigning on youth affairs with much passion. I do not know whether I will be admitted to her meeting—I would not qualify, of course—but I shall certainly be keen to know its outcome. It will help the Home Affairs Committee enormously with our inquiry into policing.

I welcome what the Government have done this morning. I want to concentrate on just four aspects of the policy. The first relates to enforcement and the proper way the police conduct their investigations into these matters. I am pleased with how Operation Blunt has worked. It is right that people on the public transport system, especially the tube, should have been challenged about the knives and weapons that they carried. The figures indicate that the exercise was properly conducted, with sensitivity.

It is important that when we undertake stop and search, we are focused on what we are trying to achieve. It should not be done like a fishing expedition; I do not believe that every young black person in London ought to be stopped on a presumption that they are carrying knives. However, the targeting and focusing are extremely important if we are to get to the real source of the problem.

[Keith Vaz]

On additional policing, the Minister will know much more accurately than I the number of police officers the Government have put on the streets of London and the rest of the United Kingdom; he probably has an up-to-the-minute account. He will be able to reassure the hon. Member for Hornchurch that the Flanagan report does not mean a reduction in police officers; it means—or I certainly take it to mean—that there is consideration of how the police use their time productively. There may not be an increase on the levels of the past 10 years, but there is certainly no commitment from Flanagan that there should be a decrease or from the Government that there should be any reduction in the resources given to local police authorities.

Mr. Ellwood: As usual, the right hon. Gentleman is making a powerful argument, and about something in which he has a great deal of expertise. As an authority on home affairs issues, will he comment on police authorities wanting to turn away from Government targets—in respect of arrests following fights in children's playgrounds, for example—and focus on more serious issues such as tackling knife crime?

Keith Vaz: The hon. Gentleman is far too generous with his compliments, which I do not deserve. Owing to our case loads, all hon. Members are—or seek to be—experts on this issue. Policing is an issue that affects every one of our constituencies. The hon. Gentleman is right to focus on what police officers do with their time; as the hon. Members for Carshalton and Wallington (Tom Brake) and for Colchester (Bob Russell) have discovered during the progress of our inquiry into policing, it is important to consider that. Some local police authorities have decided not to record or pursue certain offences such as fights in the playground, but to concentrate on what we and they regard as more important issues. We should consider police priorities. However, the police have their priorities right: they understand that the issue is crucial and needs to be pursued, and that Parliament and the public are concerned about it.

We have seen a cultural change. It is not just that older children or young adults are stabbing young children or teenagers; it is that young people are stabbing each other. That different cultural phenomenon seems to have occurred in the past few years. There have been 15 deaths similar to that of Arsema Dawit; 16 young people have been stabbed on the streets of London so far this year. That is particularly worrying, and it is why I welcome what my hon. Friend the Member for Brent, South (Ms Butler) has been saying. It is important to ask young people themselves what they see as the solution to the problem. The problem for us is not only generational, but to do with the fact that we are not part of that culture. Young people have to be consulted if we are to find the solutions to the problems.

I turn now to sentencing. The Minister mentioned what the deputy Lord Chief Justice said about sentencing priorities. It is important that judges understand precisely what is happening as far as the cultural shift is concerned. However, we also need to give them a bit of leeway. As we know, the jails are full; as previous Governments have done, we are releasing people from prison to make places available for others. We need to find a way to break the cycle. Of course, prison is the only answer for serious offences. However, if we get involved in more preventive work, that will make a great deal of difference.

That brings me to the From Boyhood to Manhood Foundation, an organisation with which the Minister is familiar. The funding regime for the organisation, which operates in south London—not a million miles from the constituency of the hon. Member for North Southwark and Bermondsey (Simon Hughes)—had been threatened with closure. After the foundation's representatives had given evidence to and been praised by the Home Affairs Committee last year, its grant was withdrawn—not, of course, because we had praised them but because financial resources are limited. We were pleased when the Minister intervened to make sure that the grant was restored.

Such mentoring organisations, which break the stereotypes of young people carrying knives, are extremely important. The issue is about awareness; it is about education and schools. It is not just about taking the knives from the young people as they go through the scanners into school, but making sure that when they come out again, they do not get a knife from somewhere else. The hon. Member for Bournemouth, East (Mr. Ellwood) was right about the idea of banning all knives. According to the statistics kitchen knives are now the weapon of choice in most of these cases. We cannot ban kitchen knives, nor can we have SWAT teams suddenly entering people's homes, invading the kitchen and taking all those knives away—they just happen to be part of the household. We need to stop the kitchen knife leaving the household for reasons connected to crime, and that is where sensitive policing is so important.

Simon Hughes: I should like to make what might seem a slightly strange and counterintuitive point. It has been put to me that most injuries are caused by the point of a knife or other weapon, not by the blade, and that in the medium term we could think about getting the people who produce knives to ensure that they do not have sharp points, as they do not need sharp points but only blades. That is a production issue that might significantly reduce the danger of the common-or-garden bread knife, kitchen knife or suchlike.

Keith Vaz: The hon. Gentleman makes an interesting point that I have not thought about before—trust him to come up with an innovative solution to the problem. We would need to consult those who use such knives in kitchens—sadly, I am not one of them, because I cannot cook very well—to see whether that would spoil their culinary delights.

Kelvin Hopkins: The comments of the hon. Member for North Southwark and Bermondsey (Simon Hughes) are very interesting, but all sorts of implements have sharp points, and we will never find a technical fix for that. Does my right hon. Friend accept that we have to focus on the people who use them rather than the instruments themselves?

Keith Vaz: I take my hon. Friend's point.

My penultimate point concerns the stakeholders. On Tuesday, we took evidence in the Home Affairs Committee from the supermarkets and representatives of the alcohol industry. The hon. Member for Carshalton and Wallington was there; he spoke extremely well and asked some searching questions. I am not convinced that the alcohol industry understands the role that it plays in crime. Forty-six per cent. of crimes are alcohol-related. I do not have the statistics for knife-related crime and alcohol, but I believe that they would be of a similar order.

We have heard about pre-loading, whereby people get tanked up—if that is not an unparliamentary term—before they leave their homes. We have heard about happy hours, when people who buy a drink can get another one free. We have heard about discounted prices for drinks. We have heard about loss leaders. The alcohol industry and those who sell alcohol in supermarkets—Asda, Sainsbury's, Morrisons and Tesco—are unaware of their responsibilities. It is irresponsible of supermarkets to sell alcohol as a loss leader, trying to compete with each other so that, as the hon. Member for Hornchurch said, in some cases it is more expensive to buy water than beer. The Government need to address those issues. I know that there is a review of the subject. It is of great interest to the Select Committee, and other Members will no doubt want to make their comments. We need to act quickly if we are to make progress.

Mr. Ellwood: The right hon. Gentleman is making an extremely valid point. However, as with the issue of the sharpness or bluntness of the point of the knife, we can find ourselves moving away from the reason why someone decides to leave their house or flat with a knife in their pocket in the first place, before they have even bought a can of beer. The supermarkets are in a difficult position, because were they to get together and agree that prices should be set at a certain level they would hit problems with the Competition Commission, as did the milk cartel that ended up getting fined. While alcohol plays an important part in knife crime, it needs to be tackled in several ways. I, for one, would like more emphasis to be placed on role models such as the father or mother—the people who can set an example and say, "You do not need to leave the house with a knife in your pocket in the first place."

Keith Vaz: The hon. Gentleman is absolutely right, and he brings me on to my last point. I noticed, Mr. Deputy Speaker, that you raised your eyebrow and looked at the clock, and to me that is almost a rebuke.

There is a huge responsibility on parents to ask what their children are doing, where they are going and what they are carrying. If their teenager comes in and asks to borrow the kitchen knife, it is reasonable for them to ask, "Why do you need a kitchen knife when you leave the house? We understand that you need it if you want to chop up the carrots, but do you really need it if you're going down to the local playground?" However, it is not only the parents' responsibility—it is part of the shared responsibility that we all have in making progress in this area.

I am glad that the Government were able to highlight the problem with their advertisements last week, although I do not know whether that is the best way of getting through to parents. Far more shocking are some of the real life examples of teenagers being killed. That kind of crime will shock any parent, because it could be our child. I hope that in placing an emphasis on enforcement, the Government will place equal emphasis on prevention and on education and awareness of parents, which is one of the keys to tackling the problem of youth crime and ensuring that we solve this problem.

1.26 pm

Tom Brake (Carshalton and Wallington) (LD): It is a pleasure to follow the right hon. Member for Leicester, East (Keith Vaz), who leads the Home Affairs Committee so admirably.

I regret the necessity for this debate, as, I am sure, do all other Members, but it is necessary because of the prevalence of knife crime in some of our communities, particularly in London. I should like to start by expressing my condolences to the families and friends of the latest victims of stabbings—Arsema Dawit and Pat Regan—as well as to the Navaneethan family, residents of Carshalton in my constituency, two of whose children died at the weekend. Clearly, those families will never recover fully from those tragedies.

I enthusiastically endorse the Minister's comments about how the overwhelming majority of young people play a very positive role in society. Like many other Members, I have a steady stream of young people coming from local schools, colleges and universities doing internships or work experience, sometimes in their summer holidays, and they all make a fantastic contribution.

Statistically speaking, it is probably true to say that there is not yet an epidemic of knife crime, but among young people something is clearly amiss. The number of teenagers gunned down, stabbed or beaten to death in the capital has risen from 15 in 2005 and, if current trends continue, could top 35 in 2008. The Government's response has included some very positive measures, including increasing the maximum term from two to four years—although, as a senior police officer said to me a few days ago, what is most important is for young people to know that they risk being caught carrying the knife, not necessarily to know about the term.

As regards the Prime Minister's announcement of the presumption of prosecution for people of 16 years or older, could the Minister tell us what assessment has been made of the impact of that in terms of police and court time, and what safeguards will be put in place for innocent young people? Let me illustrate that with an example. A couple of years ago, an American friend of mine in his early 20s came to visit me in Westminster. He was carrying a lock knife. That is not illegal in the US, but when he came here he could have been caught under that legislation. He had no intention of using it, and if he had done he would not have chosen to carry it into Parliament. We need to hear more from the Minister about that.

Obviously, intelligence-led stop and search is essential, and I support Operation Blunt 2, which has worked well in my constituency—four arrests followed an operation a couple of days ago in Sutton—and the use of metal-scanning arches. Catching those carrying

[Tom Brake]

knives is just part of the solution. A bigger part of the solution, which I hope the Minister will have more time to talk about when he responds because his opening speech was very much about enforcement, is finding out why young people are carrying knives in the first place, what is effective in preventing them from doing so, and whether more can be done to educate them better about the lethal nature of knives.

This last point was put to me by a senior police officer. He did not want to overemphasise it, but he felt that some young people were using knives not knowing that the consequences could be fatal if, for instance, they stabbed someone in the leg. The publicity campaign is clearly part of educating young people better. We also need to consider what is being done to reassure young people that police are out and about in areas of highest risk. I hope that the Minister will also be able to give us an update on the progress of the roll-out of the youth centres that will be delivered as part of the dormant funds proposal. We have heard a lot about that, but so far I have not seen much youth work that has been paid for by that route.

My final point concerns the most recent victim of youth crime, Arsema Dawit. I shall not comment on her case, but reports suggest that she was the victim of a crime involving a stalker. Partly prompted by an officer who has made this suggestion, I would like to ask the Minister about the work being done by the Met and other forces to review stalker cases, particularly those involving young people. How many cases are being reviewed and when does the Minister expect those reviews to be completed? We need to know that that matter is being examined fully.

We all agree that we cannot stand idly by while knife crime takes the lives of our young people. We need more research into the causes of knife crime, better deterrents, better detection, more enforcement and tougher sentences. The Government will have our support as they struggle to control the rise in these fatal attacks.

1.32 pm

Ms Dawn Butler (Brent, South) (Lab): This debate is very important. In my constituency knife crime has almost remained stable. In 1997, there were 202 knife crime incidents in London, and in 2007, there were 212. What has become more prevalent is that the victims and perpetrators are younger and younger. We have a problem, and we must realise that it is not just knives and guns that kill people—it is people who kill people, and we have to go to the roots of the problem.

I thank the Minister for attending a packed Committee Room 14 this week. About 80 per cent. of the people in that room were young people, and I remember the Minister raising his eyebrows at talk of postcode wars. That phrase is probably unrecognisable to many of us, but it is a serious issue. Young people feel that they are not able to go into other postcode areas because they fear for their lives. The Government will not be able to resolve that issue; we have to connect with young people in order to eliminate that interpreted fear. There are also road codes, to which we will never be party; they are the code of the road, and unless people live on that road, they will never know what the code is.

What the Government can do—and they have been successful in it—is give money to young people so that they can have events to resolve those issues. The youth opportunity fund and the youth capital fund, which has now been extended, have enabled young people in my constituency to hold street parties. Young people from all over were able to gather and party together, which eliminated some aspects of the postcode wars. We cannot just throw out legislation, however, and the Government should not be criticised for the work that they are doing, because we have to recognise the effect that it is having on the ground.

There is a lot more work to be done, but in the work that I have been doing with young people, they have come up with recommendations, some of which will be presented to the Minister next week. One of the issues is policing. As well as giving respect to the police, young people would like to be respected by them, and part of that respect is manifested in police accountability. I implore the Minister not to get carried away by the idea of taking away the accountability involved in stop-and-search. That was a fundamental part of the Stephen Lawrence report. It also came about after the sus laws were used, under which police would randomly stop black people in the streets, which resulted in the Brixton riots. We do not want to get to that stage again. Stop-and-search accountability is important, and the Flanagan report suggests the use of electronic devices to make data inputting easier; there is a trial at the moment. I spoke to some police officers in Brent who told me that they prefer to fill in paperwork themselves, rather than give it to a clerk, because of mistakes that might be made that will affect their case later on. It is important that the police are still given the opportunity to record and register that information themselves.

Keith Vaz: Does my hon. Friend disagree with the giving out of hand-held machines to the police as a way of speeding up the recording of information?

Ms Butler: No, it is absolutely a good idea to use technology to speed up the process. I am concerned, however, that we should not eradicate that process. Stop-and-search accountability should be there to stay because it exists for a specific reason. It was introduced to counteract a problem that came about because that accountability was not there from the beginning. If we took it away, we would cause further problems, and we should not be short-sighted in our approach. I wonder whether the Minister could expand on the £1 million campaign that the Government are going to roll out shortly to stop the glamorisation of crime.

Finally, there are lots of relevant voluntary groups and religious institutions. My right hon. Friend the Member for Leicester, East (Keith Vaz) mentioned the From Boyhood to Manhood Foundation. There are also Boyz 2 Men, Not Another Drop, Reallity and Respectism; there are hundreds and hundreds of voluntary organisations. I know that the Parliamentary Secretary, Cabinet Office, my hon. Friend the Member for Corby (Phil Hope), who is the Minister for the third sector, has been working hard with those organisations, but I wondered whether we might be able to get some of them together so that we can further explore the invaluable work that they are doing in our community. I agree with the Under-Secretary of State for the Home Department, my hon. Friend the Member for Gedling (Mr. Coaker), when he says that we have to reach out to all these voluntary organisations to help us resolve the situation of the crime on our streets today.

1.38 pm

Bob Russell (Colchester) (LD): Today's debate is called a topical debate, but knife crime has been growing year on year for at least the last two decades. Indeed, on 27 March last year, the Select Committee on Home Affairs had an inquiry on the matter, and the Minister gave evidence. That followed several months of asking the Committee to do it, and in February last year, I said to the then Prime Minister at Prime Minister's questions that the simple fact was that knife crime is three times more prevalent than gun crime. I challenged the Government to do something about it, and I truly welcome what the current Prime Minister is doing, but more should have been done a long time ago.

In March last year, I presented to the House a petition of 5,000 signatures in the name of my constituent, Mrs. Ann Oakes-Odger, whose son Westley had been killed in Colchester in September 2005. I want to read out the petition because it summarises what the debate is about. It states:

> "We are appalled by the number of people killed through the use of guns and knives; we are further appalled that although the number of people who are killed by knives is three times higher than those who are killed by guns, the legal system treats knife crimes less seriously than gun crimes.
>
> The Petitioners therefore request that the House of Commons urge the Home Secretary to introduce legislation so that the carrying of knives and the use of knives, and sentencing policies, are treated on the same terms as gun crimes."—[*Official Report*, 21 March 2007; Vol. 458, c. 918.]

I do not believe that that happens now or that the Government's proposals will complete the journey, although they move in the right direction. My constituent said that, since she has begun talking to young people about the consequences of carrying knives, she has noticed this:

> "They really have no idea. Television programmes and computer games which feature violent crime hardly ever show the devastation felt by victims' families. Young people don't realise so many lives will never be the same again."

I would like to say much more, but I appreciate that others wish to speak, so I will draw my comments to a close as quickly as possible. Since my constituent's son was murdered while he was drawing cash from a machine outside a supermarket in the afternoon in broad daylight, she has taken her anti-knife campaign into the classroom. Her goal is for information on knives, guns, drugs and violent crime to become statutory in all the UK's secondary schools and later in primary schools. She has packaged the information into "Westley's Weapons Awareness", which has Home Office approval.

Mr. Deputy Speaker, as a fellow Essex Member of Parliament, you will know that we are not considering just an inner-city problem. It is also to be found in the towns around the UK. In my town, Colchester, which is dubbed the safest town of its size, knife crime is increasing. In the year finishing at the end of January, 94 knife crimes occurred in the Colchester area. The figure for the previous year was 53. My plea to the Government in today's brief debate is to raise knife crime and its treatment to the same level as gun crime.

1.42 pm

Mr. David Evennett (Bexleyheath and Crayford) (Con): I welcome today's debate and the rational and reasonable way in which it has been conducted. I pay tribute to my hon. Friend the Member for Hornchurch (James Brokenshire), who made an excellent speech and highlighted the issues and failings in the fight against crime in the past few years. I also praise the right hon. Member for Leicester, East (Keith Vaz), the Select Committee Chairman, who made constructive comments. I noted with interest that investigations are taking place and his appraisal of the position.

I am pleased to make a short contribution because the subject is of genuine and growing concern in my constituency and my borough of Bexley. Traditionally, Bexley has been the safest borough in London, and it remains a tremendous place in which to live and work. However, this year three murders—one in each of the three parliamentary constituencies—involving knives regrettably occurred in my borough. In April, a man was stabbed to death in the Barnehurst area of my constituency. In January, a stabbing occurred in the constituency of my friend and neighbour the hon. Member for Erith and Thamesmead (John Austin). More recently, a tragedy occurred in Old Bexley and Sidcup, where a promising young actor was stabbed outside a bar. In each case, Bexley police responded extremely well and I praise them for their actions in trying to allay the fears of residents in the borough. Of course, they must catch the perpetrators and we hope that people will be brought to justice in all those cases.

Constituents regularly contact my office because they are increasingly concerned about safety and especially violent crime. I intervened on the Under-Secretary to underline the concern of many young people about their personal safety and security on public transport when going home late in the evening and so on. We must tackle the fear factor among young people. They are frightened that they will be the victims and, regrettably, the statistics show that that is happening.

I welcome the appointment of the new Mayor of London, who made tackling crime a major component of his manifesto. He has already started work on that and we welcome his appointment of Deputy Mayor Ray Lewis, who will be directly responsible for young people and opportunities. That is crucial.

Several hon. Members highlighted the fact that we are considering a concerted effort. It involves the Government, and we want them to do more. I have not had time to examine the details of this morning's proposals by the Prime Minister and the Government because of my duties in the Chamber. However, I will read them with great interest to ascertain whether they get to the nub of the problem—I hope that they do.

The concerted effort involves not only the Government and the police, but local councils and communities and, of course, parents and education. The latter are fundamental: education and parents must play a vital

[Mr. David Evennett]

part. We want the perpetrators to be apprehended and punished and to ensure that our streets are safe and that law-abiding citizens can work, walk the streets and go about their normal business without fear, but education must underlie that.

Catching criminals and sending out a strong message is vital, and I hope that we will be united in supporting that. I would therefore welcome measures to increase awareness of the risk of carrying knives. The Under-Secretary responded to my intervention about the advertising and promotional campaign. We welcome it, but it is a small part of the overall picture. It is another weapon that we can use in the fight against knife crime, but we should not push it too much to the fore because other issues are much more important. I tried to make that point to the Under-Secretary.

Violent crime has doubled under the Government and recently horrific incidents have become far too common. I welcome the comments of my hon. Friend the Member for Hornchurch that we need a short-term, medium-term and long-term plan. The Conservative party has it, and we will continue to present our proposals because we must deal with the problem now. If we do not, our society, especially our young people, will suffer even more.

Mr. Deputy Speaker: I hope that the hon. Member for Bournemouth, East (Mr. Ellwood) will not find it intimidating if I intimate to him and the House that I hope that the Under-Secretary will have at least five minutes to wind up the debate.

1.47 pm

Mr. Tobias Ellwood (Bournemouth, East) (Con): I am grateful to you, Mr. Deputy Speaker, and appreciate being able to catch your eye. Again, I apologise for arriving late.

It is a pleasure and a privilege to participate in this important debate. However, I am sad that it is tacked on to the end of the week, on a day when there is a one-line Whip. I fear that the number of hon. Members in the Chamber reflects not the importance of the subject, but the timing. The subject is so important and emotive that perhaps we could hold an annual debate on knife crime. Let us have an annual report from the Government and the Select Committee outlining the progress that has been made in the previous year to tackle something that is high on everybody's agenda—the agenda of parliamentarians and legislators, of parents who are worried about their children and of young people, as hon. Members of all parties underlined so eloquently. May I request, through the Under-Secretary, regular feedback on progress on tackling the blight of knife crime, which has increased?

Ideas have been presented for making knives blunt and removing them altogether, but we need to ask what encourages an individual to go out with a knife before even having a drink. A knife is perceived as a badge of honour, something that must be had to be part of the gang. It is seen as something that must be carried to feel proud and part of the pack. There is something very wrong when our society has moved to a point at which children grow up believing that that is right. Somewhere along the line, someone has failed in their duty to get across the following message to those youngsters as they grow up: "This is wrong; this is not the way of the society that we want to live in; this is not the sort of community and safe environment that children should be growing up in," and which we perhaps enjoyed.

Let me talk about the deterrent. Police powers are important. In Bournemouth and Dorset, one crime a week is committed involving a knife or a blade. That is unacceptable. The police require more powers to stop and search, and to ensure that the message gets through that those who carry such implements are likely to get caught. We must also talk about prevention, and this is where role models are important. I intervened on the right hon. Member for Leicester, East (Keith Vaz) and talked about role models. He said—I think in jest—that he could not participate in the online youth discussions.

I would argue that older people have more of a responsibility to participate in the wider debate. Who are the role models we enjoyed when we were young, compared with today's role models? In a broken family, where the father figure has disappeared, where does little Johnny, aged five, six or seven, look for aspiration? Today's role models are different from those that I grew up with and absolutely different from those that my parents and grandparents grew up with. We lack those people in society who can guide those fragile and impressionable children in the way that they should be guided. That is why children end up joining gangs—so that they can feel part of a cohesive unit, because their family no longer provides one.

Jeremy Wright (Rugby and Kenilworth) (Con): I apologise to my hon. Friend and to the House for arriving even later for this debate than he did. On his point about role models, does he agree that one place that the young boys without father figures whom he describes look to for a male role model is either the sports industry or the music industry? Is it not a good idea for those seen as role models in those fields to send out precisely the right messages not just about gun crime, which they have done, to their credit, but about knife crime?

Mr. Ellwood: My hon. Friend makes a powerful argument. It is difficult for parliamentarians or the Government to interfere with sports or entertainment, but anyone in the public eye must understand that they have a social responsibility to the country that they live in and the community that they participate in. People watch them and they see how they behave, whether we are talking about Amy Winehouse or the way Wayne Rooney goes up to referees on television and swears at them; we cannot hear the words, but we can see exactly what he is saying.

A four-year-old sees such behaviour and thinks that it is the way to deal with authority. I would like to see a sin bin in football, so that people understand straight away that they cannot get away with challenging authority in that way. Those are, I am afraid, the building blocks that lead to a legacy of crime, which starts either because people do not respect the authority figures around them or because there is simply an absence of authority figures.

This is an important debate A lot of ideas have been put forward, and I understand that further ideas came forward in the summit at No. 10 Downing street. This debate should not end here. Let us continue our work, rather than pack up our bags at the end of the day. Let us return to the issue in six months or a year's time and see how we have progressed.

1.53 pm

Mr. Coaker: This has been a good and important debate. One thing that I have taken from it is that none of the hon. Members who contributed got up and said, "If only we did this and that, all this would be solved." In other words, there is no one thing that needs to happen if the problem is to be dealt with. However, nobody can underestimate—indeed, nobody has underestimated—the seriousness of the issue. We cannot wake up every morning wondering whether somebody will have been stabbed overnight and added to the numbers of those already murdered on our streets. It is incumbent on us all to take action.

I will consider the suggestion that the hon. Member for Bournemouth, East (Mr. Ellwood) made about ensuring that this is not just a one-off debate. I also take the point that members of the Home Affairs Committee made about its work. We need to keep looking into the issue. I am conscious of the fact that people sometimes think that we see a headline in a paper and we pay attention to it, but then a couple of months later we move on to something else.

Bob Russell: Perhaps I can remind the Minister that his concluding comment to the Home Affairs Committee on Tuesday 27 March 2007 was:

> "I shall be very pleased to come back to see what progress or otherwise has been made".

Mr. Coaker: I thank the hon. Gentleman for that—it now seems clear that I will indeed be coming back. The serious point, however, is that Select Committees perform an important role not only in holding Ministers to account, but in considering how we move public policy forward and looking at what is happening. We owe it to the people of this country, and particularly the young people, not to be complacent, but to see what more we can do. I am pleased that hon. Members in all parts of the House welcomed the Prime Minister's statement this morning about the expectation of prosecution of all those over the age of 16 charged with a possession offence.

In the brief time left, let me try to pick out some common themes. In answer to the hon. Member for Hornchurch (James Brokenshire), who, to be fair, made some reasonable points, I point out that the number of homicides involving sharp instruments has varied from year to year, but there has not been an explosion in the number of such homicides. These are the figures for homicides by sharp instrument as the apparent method of killing in England and Wales, which can include screwdrivers and things other than knives: there were 201 in 1998-99, 213 in 2000-01, 265 in 2002-03, 242 in 2003-04, 250 in 2004-05, 219 in 2005-06 and 258 in 2006-07. It is important to put those statistics on the record, because there are variations from year to year. Of course, we would not want any of those murders to be committed and would rather the figure for each year was zero.

Neighbourhood policing is crucial, and we have committed resources to local police forces. The hon. Gentleman said that he wanted to tell the police how to organise things in their areas, but he will find that his party supports local decision making, and he will have to find a way around that. As my right hon. Friend the Member for Leicester, East (Keith Vaz) pointed out, we have put resources into policing and seen huge increases in the numbers of police on our streets.

My right hon. Friend the Member for Leicester, East, the Chairman of the Home Affairs Committee, made a very good and wide-ranging contribution. I want to pick out two things that he said. First, he mentioned the importance of voluntary organisations such as the From Boyhood to Manhood Foundation. As I was trying to say to the hon. Member for Hornchurch, voluntary and community organisations are crucial if we are to solve the problem. They often have a better handle on the problem and a better way of getting to the people affected, as my hon. Friend the Member for Brent, South (Ms Butler) knows from the work that she has done. We need to work better with such organisations and fully consult young people.

The proposals on 16 to 17-year-olds that the hon. Member for Carshalton and Wallington (Tom Brake) mentioned have the full support of the Association of Chief Police Officers and prosecutors. We are trying to roll out weapons awareness programmes and so on. I agree with the hon. Member for Colchester (Bob Russell) on the importance of knife crime and the need to recognise that it is far more prevalent. As important as gun crime is, we need to ensure that knife crime has the importance attached to it that it needs.

In the few seconds that are left, let me again thank all hon. Members who have taken part in this debate. As a Government, we are absolutely determined to do all that we can to work with everyone to deal with the problem. It cannot be solved, as hon. Members in all parts of the House have said, just by enforcement. All of us need to work together—

It being one and a half hours after the commencement of the proceedings, the motion lapsed, without Question put, pursuant to the Temporary Standing Order (Topical debates).

Care and Support

1.59 pm

The Parliamentary Under-Secretary of State for Health (Mr. Ivan Lewis): I beg to move,

That this House has considered the matter of the future of care and support.

I welcome the opportunity to have this debate on the Floor of the House on a subject that is undoubtedly one of the great challenges that now faces our society, as well as increasing numbers of families and politicians of all persuasions, as we face up to some of the biggest issues in society. I want to use my opening speech to refer to the context of this debate, the progress that we have made over the past 11 years and the changes that we are now making. I shall then move on to the difficult issues that have to be resolved in creating a system that can respond to this new world.

I shall start by describing the context. There is a constant debate about the big challenges that we face, including climate change, globalisation and fundamentalist terrorism. Arguably, demographic change is equally important in terms of the big public policy challenges that this country faces. Undoubtedly, for many people, elder care is the new child care. Care and support might have been an issue for a relatively small number of families in the past, but it is now a mainstream issue for the majority of families in this country.

This is also a question of social justice, whether in regard to the way in which we treat older people in terms of dignity, respect and quality of life, or to our ability to support disabled people and people with mental health needs to have equality of citizenship and a right to live independently as equal citizens in our society.

This issue is at the heart of what we mean by 21st century families. I shall give the House some examples of the changes that we are now seeing. Many parents—mainly women—are struggling to hold down a job and bring up a child while also caring for an elderly parent or grandparent. Many husbands and wives are caring for a partner who is perhaps in the early stages of dementia, yet, at 3.30 every afternoon, they are expected to be at the school gates to collect a grandchild. As a consequence of the fact that, thankfully, disabled people now live full and long lives, some people are now lifetime carers. All those factors are having a massive impact on the nature of family life in the 21st century.

Mr. Kevan Jones (North Durham) (Lab): I, too, recognise the debt of gratitude that we owe to the carers of people with dementia and Alzheimer's. Those carers depend on respite care and, ultimately, on their loved ones going into care. Is it not important that we get the home support right, and that the NHS has the facilities to take care of those individuals?

Mr. Lewis: My hon. Friend is absolutely right. There is an issue about the volume and availability of respite care, and there is equally an issue about the quality and nature of that care. If someone is caring for a parent—or, indeed, a husband or wife—who has dementia, and they feel that the available respite care does not offer quality, dignity or safety, they will be reluctant to use it. It is therefore incredibly important that we expand the availability of respite care in this changing world, and that we ensure that people are confident and comfortable that that care will properly look after their dependent relative.

Kelvin Hopkins (Luton, North) (Lab): I accept what my hon. Friend says about the fear of inadequate care in care homes, but a much greater fear is that there will not be any respite care, and that the excessive pressure on carers in the home will, in time, break them. Is it not of primary importance to ensure that respite care and—eventually, when necessary—residential care are provided, and that we do not pressurise people to keep elderly relatives in the home when they cannot cope?

Mr. Lewis: I partly agree with my hon. Friend. The vast majority of older people want to stay in their own homes for as long as possible, and that is quite a shift compared with the expectations of my generation and my parents' generation vis-à-vis my grandparents' generation, who might have accepted the inevitability of institutionalisation. However, my hon. Friend is right to say that, too often, families are being left to struggle because appropriate residential or respite care is not available in their local community. When we announce in the near future our new deal for carers, one of the most important issues that it will address will be the availability and quality of respite care.

Mr. Philip Hollobone (Kettering) (Con): On the wider issue, is it not the case that people were promised in 1979, when Tony Blair said that he did not want—

Mr. David Kidney (Stafford) (Lab): 1979?

Mr. Hollobone: I am sorry; I meant 1997. Tony Blair said that he did not want to live in a country in which the only way that pensioners could get residential care was by selling their home, but that is still happening today, 11 years on. And is not the fact that the situation south of the border is rather different from that north of the border causing growing resentment?

Mr. Lewis: It is not generally known that, in 1999, the Government introduced the notion of deferred payment, whereby older people do not have to sell their home if they go into care. It is not totally clear how many people are taking up the opportunity to use the deferred payment scheme. I have to say to the hon. Gentleman that, in fact, he got his timeframe right. Between 1979 and 1997, there was no attempt to do anything about the means-tested system. In contrast to the NHS, social care has been means-tested since 1948, but nothing was done about that between 1979 and 1997, so we will not take lectures from the hon. Gentleman about the inevitable consequences of a means-tested system—*[Interruption.]* I will answer his second question. Members of the House are aware that, if we examine the detail of what is happening in Scotland, we see that care is not free. People still have to pay for housing and for food. Also, services are being rationed, which means that people are having to wait for increasingly long periods of time to access care. Scottish local authorities are saying that the current position is entirely unsustainable. Politicians may shroud-wave and make offers that appear attractive, but in reality, the result is the provision of inadequate services.

As part of the debate over the next six months leading up to the Green Paper, let us have an honest and serious discussion about the respective responsibilities of the state, the family and the individual for paying for care, bearing in mind that there are no easy options in regard to fairness and sustainability. The people for whom I feel most sorry under the current system are those who work hard, play by the rules and do the right thing, and who are neither rich nor poor. There is a sense of injustice and unfairness among those people at the way in which decisions are made about means-testing.

I am also anxious to put right the situation in which people who fund their own care are left alone to make difficult decisions about choosing their care and where to go for advice and support. In my view, self-funders should be entitled to a much greater level of protection and help than they get at the moment, but let us not pretend that there are any easy answers or easy solutions.

Mr. Kidney: On the subject of the need for a debate, will my hon. Friend accept my praise for him in bringing this matter to the fore so that we can have a great public debate on such a big policy issue? Does he agree that there is a role for the media to help in this regard? Will he give credit to the BBC for its recent in-depth and deliberative coverage of these issues, which has tried to include everybody in the debate?

Mr. Lewis: I thank my hon. Friend for his kind comments on my contribution. Other hon. Members, some of whom are in the Chamber today, have made a major contribution over the years to ensuring that social care has been given a greater level of priority. That requirement is still desperately needed in view of the changing nature of society. Of course it is helpful when the media engage in this debate in a positive, constructive, honest and balanced way. Some of the recent coverage has been very balanced. Let us consider, for example, the way in which the "Today" programme reported the lady who went under cover in care homes. Some people were concerned about the ethics of her going under cover, which is a different debate, but that coverage was incredibly balanced. She was encouraged to talk about the positive and good things as well as to highlight the negative experiences that she had in residential and nursing care. All too often we do not present a balanced view. For example, hundreds of thousands of low-paid low-skilled workers work in the care system. They do a tremendous job on the front line of providing care in very difficult circumstances. Yet we always present this industry—this care sector—in the deficit model, in a negative way. Of course, there are massive problems. We only need to listen to the experiences of older people and their families to know that all too often the system does not respond to their needs in the way in which they have the right to expect. Equally, however, we should have a balance to the debate. I welcome the fact that sections of the media are starting to ensure that the debate is far more balanced.

In my view, the care system does not function in a vacuum from the rest of society. We have deeply cultural and attitudinal issues to address about how we treat older people in our communities and society. In the same way as we recognise that investing in children and young people will determine the future of our country, we must also recognise that the way in which we treat older people will determine the character of our country in the future.

We should also remember that older people are not simply passive recipients of care. They increasingly have the ability to make a massive contribution to their communities and families and to our society. It is incredibly important that we have an adult, mature debate about the issue, which poses one of the greatest challenges that we face.

It is also important to reflect on some of the progress that has been made over the past few years. This is the first Government to introduce a serious set of national minimum standards backed up by inspection and regulation. The consequence of that has been a significant improvement in the number of providers of residential and nursing care and of domiciliary services that meet minimum standards. That would not have happened without the dreadful word "regulation". All too often, regulation is presented as a bad thing, but it has begun to make a real difference in the sector. As we develop the new regulator, bringing together health and social care regulation and inspection, it is important that we continue to use that system to help us to raise standards.

Kelvin Hopkins: I agree entirely about the need for regulation. Indeed, a number of recent reports have shown that regulation clearly has been inadequate because standards have not been good enough and people have been suffering. However, the Government have proposed light-touch, risk-based regulation instead of rigorous inspection. Does that not pose a risk that the regulation will not be good enough?

Mr. Lewis: I do not agree. There are a number of ways in which we influence the quality of care that older people and others experience. One of them is inspection and regulation; the other is the commissioning decisions that are made by local authorities or the NHS. Frankly, they should not be commissioning with either poor providers or even, on occasion, those providers that can meet only minimum standards. World-class commissioning is about ensuring that we organise services from those care homes and day care and domiciliary care services that offer people a high standard of care.

The other important element is to ensure that individuals and families feel sufficiently empowered to complain and raise concerns if they are not getting the care that they need. Communities also need to take responsibility for ensuring that we treat older people in a positive manner. That becomes even more important as more and more people remain within their own homes. It would not be appropriate to send inspectors and regulators into people's homes, but equally there is an argument for saying that there is a vulnerability and risk to consider that requires us to think differently about the relationship between the state, the family and the individual. We must not make the mistake of believing that the only way to protect older people in this context is through the inspection and regulatory framework, although it is incredibly important.

[Mr. Ivan Lewis]

We have also introduced free nursing care for the first time. I mentioned the deferred payment scheme. It was this Government in 1999 who introduced the first ever national carers strategy. Since then, we have given every local authority a specific annual carers grant to expand respite care and to give better information and better emotional support to carers. There was a period in this country when there was a denial in public policy terms of the contribution and role that carers make. The fact is that carers have distinct needs as opposed to the needs of the people for whom they care. Six years ago we also launched Valuing People, to ensure that people with learning disabilities have the same life chances that many other citizens take for granted, whether it be a home of their own, a job or the opportunity to have a decent quality of social leisure life.

Last year, I introduced a new national framework for continuing care. There were concerns about a postcode lottery across the country whereby some primary care trusts were not accepting their responsibilities in terms of recognising that people have nursing care needs as opposed to social care needs. That national framework has begun to make a difference to people's ability to access continuing care funding.

This Government introduced a specific grant to stimulate the use of telecare. One issue that does not get sufficient attention in the debate on social care is the potential of modern technology to support people to have a more independent high-quality life, particularly within their own homes. We are seeing across the country a significant expansion in the utilisation of telecare to support people, but we have a long way to go. It is important to encourage and stimulate innovation because we are still pretty weak in terms of innovative development of services and innovative approaches.

We also introduced the General Social Care Council to register social workers who move on to domiciliary care agencies so that professional standards are maintained and monitored. Skills for Care ensures that we invest significant amounts in a difficult environment, which has a low-skilled, low-paid work force, to get people who work on the front line of care services to at least level 2 qualifications and beyond.

There has been an improvement in integration between health services, local government and the voluntary sector in some communities, although we still have a long way to go in the terms of the so-called Berlin wall between health and local government. I hope that we will be able to make more significant and rapid progress in the future.

Our White Paper "Our health, our care, our say: a new direction for community services", for the first time commits us to a vision of integrated personalised preventive services. We should not forget in the context of a debate about how we treat older people in our country that older people have been the major beneficiaries of the slashed waiting times and waiting lists for the national health service. That point is frequently not made. Older people used to be made to wait for years for the treatment of health conditions, such as hip replacements and cataract operations, that affect people's ability on a day-to-day basis to have a decent quality of life. I am proud that as a result of the decisions taken and the targets set, the Government have been able slash waiting lists. We will achieve the historic objective by the end of this year of a maximum wait for most treatments of 18 weeks. We should not forget that the major users of the NHS are older people. They have benefited significantly in terms of their independence and health as a result of our policy and the investment that has come directly from the Government.

There has been a major expansion of community-based mental health services. We all know that of course it was right to close those institutions down and to give people the chance to live dignified, decent lives within the community. Anyone who spent time as I did in those dreadful long-stay mental handicap hospitals, where people were shut away from society for 40 years, will know that it was the right thing to do. The Conservative party embarked on that programme when in government, and I pay tribute to it for that. The only problem was that the Conservatives did not transfer adequate resources specifically to people with mental health problems within the community, so many of them were left in vulnerable positions, not having proper and adequate support. I am proud of the fact that we have significantly expanded mental health services in the community, although we have a long way to go.

With regard to the controversy about the new GP contract, one of the other benefits that does not often get referred to is the fact that for the first time we incentivised GPs to take responsibility for the management of long-term conditions. That is another major advance. We should bear in mind that an ageing society is not the only challenge that we face. A major challenge is the number of people who are living longer with long-term conditions developed earlier in life, when they are in their forties and fifties, and making GPs responsible for managing such conditions and taking them seriously is an important way of preventing those people from deteriorating further.

This year's programme of reform and other activities is probably the busiest and the most significant for 20 years. Since April, the Putting People First transformation scheme has been delivered in every local authority area, supported by half a billion pounds of Government funding over three years. It focuses on a shift from the present system, which tends to support people only when they become very ill or very dependent, to a system based on prevention and early intervention. The aim is to offer decent information, advice and, where appropriate, advocacy to everyone, including people who fund their own care.

One of the unintended consequences of the community care legislation of the early 1990s was that people who went to their local authority and said that they had assets or means of £21,000 were told "You're on your own: there is no help for you here". It is crucial for us to ensure that those people have access to high-quality information and advice on difficult decisions relating to care and support for themselves or family members.

Jeremy Wright (Rugby and Kenilworth) (Con): Of course information should be available to self-funders. As the Minister knows, they often end up on the doorstep of the voluntary sector, which does a fantastic job in pointing them in the right direction. Does he think there is any scope for the Government to do more to help that sector to provide advice, rather than providing it directly?

Mr. Lewis: This Government have invested more money in public service and improving the quality of life in local communities than any other Government in living memory, but I agree that the voluntary sector is a major part of the solution. In the past, I have been critical of local government and NHS commissioners who reach for conventional, traditional solutions rather than using the voluntary, community-based organisations that are sometimes far better placed to provide advocacy and contact sections of communities that are hard to reach, such as members of the black and ethnic-minority community and people who do not feel comfortable about using traditional services because of their faith or culture.

Voluntary and community organisations have a crucial role. For many older people, the real issue may be not a need for hard-edged personal care but loneliness and isolation, and the voluntary sector is often in the best position to offer them activities and support. All too often, however, statutory agencies are not commissioning with the third sector as we would wish them to. Despite the unprecedented amount invested in the sector over the past 10 years, it could do more, and in many localities the relationship between it and the statutory agencies could be more satisfactory.

Voluntary organisations have every right to complain about the need for longer-term funding, which currently means knowing only one year at a time how much they will receive, but, arguably for the first time, local government and, within a couple of months, the NHS are to benefit from three-year settlements. That means that there is no longer any excuse for those organisations not to enter into longer-term funding arrangements with the third sector and put the principles of the compact into practice.

Mr. David Drew (Stroud) (Lab/Co-op): I am sure that my hon. Friend is going to mention direct payments, which have been a great success in Gloucestershire. Carers and others in the voluntary sector set up an organisation to act as gatekeeper with the local authority and ensure that proper use was being made of the payments. However, because they had "professionalised" themselves, the local authority forced them to tender for moneys, and lo and behold, they lost the tender. That was a huge knock back. Will my hon. Friend work with his colleagues in the Department for Communities and Local Government to encourage the voluntary sector locally to make the best use of resources, and not to be overtaken by outside organisations?

Mr. Lewis: I entirely agree. I was, in fact, going to say something about personal budgets and direct payments. Obviously my hon. Friend can read my mind, which is usually not a very pleasant experience.

At present direct payments are used by a relatively small, albeit increasing, number of people. We have made clear that we want the vast majority of adults to have personal budgets within the next three years. We want people to have maximum control and power over their own care and support, because we believe in the right to self-determination. Some people will need a significant amount of help to exercise that control and power over their lives, but in principle that is our direction of travel, and we want it to become the norm.

The Government must work with, in particular, local authorities to ensure that the necessary support systems are there to enable people to use direct payments and personal budgets to maximum effect. We encourage the pooling of personal budgets and the bureaucracy that is necessary to make control and choice possible. Our role is to clarify and encourage best practice, and to support local government in the delivery of what is arguably one of the most radical pioneering public service reforms that the country has ever seen.

Dr. Stephen Ladyman (South Thanet) (Lab): Does my hon. Friend agree that we should not underestimate the number, and the type, of people who can use personal budgets? In Wigan I met a man with severe learning difficulties who, with help and the use of a life map, was able to express the way in which he wanted to lead his life, and who, through the use of direct payments, was able to leave residential accommodation and live an independent life in his own flat, despite his severe disabilities.

Mr. Lewis: As ever, I agree with my hon. Friend. I pay tribute to the work that he did when he was doing my job. He initiated much of the pioneering work that has made direct payments a mainstream part of the social care agenda.

Some people hold the ideological view that certain members of society, to whom they attach labels, cannot exercise control or self-determination, and the state should not put them in a position that suggests that they can. That is not consistent with the views of our party or our Government, although of course there are people who will need a massive amount of help to exercise control and choice.

I shall never forget attending a conference, before I had been doing this job for long, where an individual with learning disabilities stood up at the back of the room and said "Minister, I want a life, not a service."

That individual was making the point, "I am fed up with this collection of agencies and organisations fishing around in my life. Give me a budget, give me the opportunity to exercise control and articulate my needs, and then I can have the quality of life that I really want." All the evidence shows that where people do have that level of control and choice, two things happen: first, they get much better outcomes and quality of life than under the existing, traditional way of doing things; secondly, we get better value for money. It is a win, win. This is incredibly complex because it is a new system that requires a lot of thought, but I am absolutely convinced that giving people control and choice through personal budgets and, where appropriate, direct payments is the right thing to do from a values point of view and a quality-of-life point of view.

I must now make some progress, Mr. Deputy Speaker. Let me rattle through the other changes that we are making this year.

Mr. Andrew Lansley (South Cambridgeshire) (Con): Will the Minister give way?

Mr. Lewis: I give way to the hon. Gentleman.

Mr. Lansley: I am grateful to the Minister, as clearly he is not going to move on to talk about the relationship between health care and social care in personal budgets. Does he agree with me that, given that we are trying to have more co-ordinated commissioning and to break down the barriers between health and social care, it is important—contrary to what the Government said in their White Paper of January 2006, with which we disagreed—that we look to develop opportunities for health care, where it is predictable and stable over time, to be added to social care budgets and managed as a personal budget?

Mr. Lewis: I am absolutely delighted that the hon. Gentleman has supported the recent statements from the Prime Minister, the Secretary of State and Lord Darzi that we ought to use personal budgets as a potentially powerful vehicle to break down the Berlin wall between social care and health care. Lord Darzi said in his interim report that we now need to consider that, and in his final report he said that we need to spell out clearly how we believe it should happen. There is absolutely no doubt, particularly for people with long-term conditions, for example, that over time, the obvious solution for many of them will be to bring together streams of health funding and social care funding in an individual budget that is focused on their personal needs. We need to go about that carefully and to get it right, but I agree entirely with the hon. Gentleman that that is inevitable and, as I said, I am delighted that he endorses the views of the Prime Minister and the Secretary of State.

It is also important to say that we have a new system of local area agreements that is bringing together local government, the health service and the voluntary sector at local level. It is interesting that local authorities have voluntarily identified social care—particularly self-directed support, personal budgets and the needs of carers—among their top priorities for local area agreements. That will also ensure that we have much better joint working at local level.

I have asked the regulator, the Commission for Social Care Inspection, to conduct a review of the eligibility criteria that govern social care. We all know that there is inconsistency of access to social care services both within and between local authority areas, so later this year CSCI will report to me on how we can adopt a more acceptable approach to eligibility criteria. We recently announced the extension of our dignity in care campaign—I am delighted that Sir Michael Parkinson has agreed to be our dignity ambassador—and we will go around the country focusing on this issue. It seems to me incredibly important that in every care home, on every hospital ward and in every domiciliary service, people debate every day what dignity and respect means for older people in their care. There is a limit to what Government can do from the centre, but if nothing else, we can provide leadership and ensure through commissioning and policy, as well as through the things that we say and do, that respect and dignity are seen to be important.

Susan Kramer (Richmond Park) (LD): I really appreciate the Minister's giving way and I apologise for not being here earlier. I was listening to the debate upstairs, and I came to the Chamber because I did not hear a subject that I am concerned about being covered. The Minister talks about dignity; let us consider elderly patients with dementia and their treatment in care homes. As he will know, my hon. Friend the Member for Twickenham (Dr. Cable) and I have lost the battle to keep open the flagship facility at St. John's hospital, which deals with such people. We are finding that all the alternatives use a chemical cosh to control people with extreme behavioural problems, which surely is not acceptable to anybody in this House. Will the Minister address that issue in the remainder of his speech?

Mr. Lewis: It is very kind of the hon. Lady to join us and I agree entirely with the point that she makes about people with dementia. I pay tribute to the hon. Member for Sutton and Cheam (Mr. Burstow) for the significant work that he has done to get this issue up the political agenda. That is why, this autumn, the Government are launching the first ever national dementia strategy. We will focus on a number of issues: not only early identification of the symptoms and appropriate diagnosis and referral, but the quality and nature of care that people with dementia receive. We will also focus specifically on the question of inappropriate medication, which is obviously a concern not only to us, but to many families. We have to be careful not to exaggerate the scale of the problem, but it is clear that medication is being used inappropriately—to suppress people, rather than to treat them appropriately. That cannot be acceptable in the context of dignity, or of a civilised society and best professional practice.

Mr. Kevan Jones: Does my hon. Friend agree that although many families want to keep dementia patients and people with Alzheimer's at home for as long as possible, there comes a point when they cannot cope, and the health service needs wards and other facilities for people with challenging or difficult behaviour resulting from their condition? Does he also agree that in places such as Durham, where the local trust is closing down such wards, people will be left in a very vulnerable position?

Mr. Lewis: I agree with my hon. Friend. What is important is that in Durham—I would be happy to talk to him in more detail about this—the local authority and the primary care trust come together to ensure that the right continuum of care, from home-based support to day care, respite care and full-time care, is provided in that community. Some of that care—the full-time care—can be provided in residential and nursing settings. Some of the people concerned will have acute health conditions and might require acute NHS accommodation. From my experience of having, unfortunately, spent some time sat on an acute ward because of a family member's illness, I know that an acute NHS ward is not the best place for most older people with dementia.

The right relationship between the NHS and local government needs to be in place to ensure that enough places are available in nursing care, so that those people receive the quality, dignified and specialist care that they require. That is one of the issues that the national dementia strategy will specifically address, but, as I say, I would be happy to talk to my hon. Friend about the situation in Durham.

Jeremy Wright: The Minister will anticipate part of what I am about to say. He rightly says that the right place for these very vulnerable individuals to be is not an acute medical ward. Let us suppose that the right place is the proper type of care home with the necessary staff and resources to deal with their condition. Would it not be true to say that those people also need to be provided with some medical support from a specialist mental health team, and that such teams should come to care homes more often than they do now to offer support to the staff in those homes?

Mr. Lewis: Again, I pay tribute to the work that the hon. Gentleman has done on the all-party dementia group. He is right to say that we need a combination of getting universal services to be far more sensitive to the needs of people with dementia and their families and, equally, ensuring that providers of those universal services have access to people with specialist knowledge and expertise. That will be one of the key objectives of the national dementia strategy. In some circumstances, care workers will not have the professional expertise or qualifications to deal with people in the necessary way, so the national strategy will examine that.

Mr. Paul Burstow (Sutton and Cheam) (LD): I am grateful to the Minister for giving way, because I appreciate that he wants to conclude his remarks. I just want to ask him whether the national dementia strategy will come with some indication of how resources will be redirected and what additional resources will be applied to deliver it. For example, if inappropriate medication were used less, resources could be unlocked to invest in the training of staff, so that they could provide the extra support necessary to deal with the challenging behaviour encountered in many care homes.

Mr. Lewis: Of course resources are an issue; we must always consider whether we are using existing resources to best effect and whether we would ultimately save money if we shifted money to prevention and early intervention. All of those matters have to be addressed. I say gently to the hon. Gentleman that not a moment goes by without a Liberal Democrat making a spending commitment on the Floor of this House and in a "Focus" leaflet, but such commitments are never costed. The problem with being in government is that all spending commitments have to be costed. Of course, the question of resources has to be addressed.

I come to other issues that we are addressing this year. We are reviewing the "No secrets" guidance, which deals with the protection of vulnerable adults. We want to ensure that we have the right protection framework in place for vulnerable people. It is important to get the right balance between allowing people to exercise maximum control over their own lives and protecting people who may be very vulnerable. It is also important that the adult protection framework reflects the move towards direct payments and individual budgets, so that we do not end up in a contradictory position.

I have mentioned that we will announce soon a 10-year strategy to support the 6 million people who are carers. We are also consulting on the independent living strategy for disabled people. This debate is inevitably skewed towards the needs of older people, but we should not forget that the challenges we face concern all adults, and disabled people now have the right to expect equality of citizenship, independent living and full lives. I am proud of the progress that the Government have made on ensuring that disabled people have the opportunities that the rest of us take for granted.

I recently announced a specific study on adults with autism and Asperger's syndrome—another area that needs to be brought out of the shadows. We have long debated the fact that a growing number of children have autism, and we need to do more to support those children and their families. The Government can be proud of our "Aiming high for disabled children" commitments and reform, and of the record levels of investment, which will expand short breaks over the next three years. All those children with autism will grow into adults, and we know that the choice for many such adults is between learning disability assistance or mental health services. However, many adults with autism or Asperger's have neither learning disabilities nor mental health problems, so we need to ensure that we have the right policies in place to support those adults.

In the next few weeks, we will announce a significant renewal of our policies for supporting adults with learning disabilities to achieve the maximum possible quality of life. We have made much progress since the "Valuing People" White Paper, but we have not made much progress on access to jobs and employment. Many people with learning disabilities, if given the right support and chances, could hold down a job, and it is scandalous that neither the private sector nor the public sector is doing enough to ensure that more jobs are available for people with learning disabilities. I hope that we can see a commitment from both sectors to work together on a specific push to open up job opportunities for people with learning disabilities.

I am pleased to say that we are joining forces with four national charities in a £80 million campaign over the next four years to focus on the issue of stigma and mental health, which remains one of the biggest barriers in our society to people having a decent quality of life. The statistics are clear: mental health issues touch the vast majority of families, but the stigma remains, which is why I welcome the fact that an increasing number of well known figures have been courageous enough to talk about the fact that they have struggled with mental health problems at some time in their life. That is important for people who are struggling with a mental illness, but who do not feel able to seek professional help. That can lead to dreadful consequences, as we are all well aware. My hon. Friend the Member for Bridgend (Mrs. Moon) is doing remarkable work in relation to the tragedies in her constituency—the issues are difficult to cope with, and we are not quite sure what is happening in that community—and trying to ensure that young people feel able to open up and seek support if they are struggling with mental health problems.

This year, for the first time, local authorities will be required by law to carry out joint population needs assessments. There is a growing emphasis on the importance of joint commissioning. Lord Darzi will produce his report on the future of the NHS. For many patients, it is the connectivity between the NHS, local

[Mr. Ivan Lewis]

government and the voluntary sector that determines their health and well-being, so as Lord Darzi maps out the next stage of the NHS's reform programme, it is important that we make those connections and encourage and support integration. The other place is now debating the creation of the new regulator to bring together the Healthcare Commission, the Commission for Social Care Inspection and the Mental Health Commission.

I shall end on the subject of the Green Paper on the long-term future of care and support. Both sides of the House are united in believing that we have to address this as a country and as responsible parliamentarians. First, the Green Paper is not just about older people, but about all adults who need additional support to have the best possible quality of life and to live independently in our society. Secondly, it is not about tinkering with the adult social care system, but about an entirely new vision for a care and support system that can respond to a changing society.

We are all aware of the nature of the challenges: demographic change, demand and affordability. We need to answer the financial question about how we will cope with demographic change and rising demand for these services. How will we respond to changing aspirations? An increasing number of people want care in their own home rather than in institutions, but our generation expects high-quality care and will accept nothing less.

We need to tackle the "no help here" culture, where people are told that if they have £21,000 a year or more, there is nothing that we can do to help them to choose care and make difficult choices. If someone goes to the local authority and says, "My mother is lonely and isolated. She is not getting out very much and does not have many visitors to her home," they are told that that is a loneliness problem and a low-level need. We need to do something about the notion that people's loneliness and isolation are nobody's responsibility. We have to tackle the Berlin walls between health and social care and between health, local government and the voluntary sector.

Roger Berry (Kingswood) (Lab): Is my hon. Friend also prepared to consider the Berlin wall between local authorities? Are the Government considering making care and support packages portable from one local authority to another?

Mr. Lewis: My hon. Friend raises an important point. A person for whom I have a tremendous amount of respect, Baroness Campbell—a tremendous champion for the rights of disabled people—is proposing some amendments on that subject to the Health and Social Care Bill in the other place. There is certainly an issue about the possibility of retaining the level of support in the short term when someone moves from one local authority to another, while the local authority carries out the necessary assessment processes. The more fundamental issue is that, as part of the debate, we have to resolve what should be universal and what should be subject to the discretion of local authorities and local PCTs. That will be central to creating a satisfactory new care and support system. Unlike in the NHS, there has been a massive amount of devolution and localism in social care. One of the challenges for the long-term review is what should be universal and what should be subject to local discretion. Of course, we also need to address the questions of the means test, the threshold and, as I said earlier, the group of people who work hard, play by the rules, do the right thing, are not rich, are not poor and feel that the system is unfair to them.

In the end, the responsibility must be shared between families, public agencies, the voluntary sector, the private sector, where appropriate, and local communities. People are absolutely clear about what they want and expect: independence, control, flexibility and, increasingly, personalisation. As the debate rages, it is important to focus first on the quality and the system that people want. We then have to address the difficult question of the respective financial responsibilities. What is it right to expect the state to fund through general taxation? What is it right to expect of families and of individuals?

Every party in this House accepts that the responsibility has to be shared. There are no easy solutions. The debate needs to be about fairness, transparency and affordability. How do we get a system that is seen to be fair, that is clear and that the country can afford in the long term? This is about not only the cost, but the benefit. In the end, we spend a significant amount of money on caring for people when they have deteriorated because the money is in the wrong place in the system. There is a debate about how we can shift money from the acute end of the system to the early intervention and prevention end of the system, so that we prevent people from deteriorating in the first place.

No party in the House now advocates—one party did so for some time—that, for example, free personal care should be a reality. The debate is about the respective responsibilities of the state, the family and the individual. The Government would genuinely like to achieve consensus in the same way as we achieved it on pensions policy. It is a shame that the Conservative party has begun to move away from that consensus to some extent. It would be in the country's interests if we could achieve long-term sustainable consensus on the system, but of course that is not totally in my control.

Finally, I am delighted that we have had the opportunity of the debate. I look forward to hearing the contributions of right hon. and hon. Members. The provision of care and support is one of the great issues that face our society. Perhaps more importantly, an increasing number of families are struggling daily to cope with the realities of ensuring that their older relatives who suddenly become ill have the dignity and respect that they deserve and the maximum possible quality of life. It is our responsibility to come up with the solutions, but we need to do so in partnership with families and local communities.

2.50 pm

Mr. Stephen O'Brien (Eddisbury) (Con): I am very glad that we have the opportunity to debate this crucial area of public policy on the Floor of the House today. The assumption is that between one in three and one in five of us will need some form of long-term care, with about one in 10 of us needing to live in a care home.

About a fifth of those who need long-term care will have some form of dementia. Two thirds of the care home population have some form of dementia, and that is likely to continue.

I immediately take the opportunity to pay tribute to my hon. Friend the Member for Rugby and Kenilworth (Jeremy Wright), who has done such an enormous amount in establishing and taking a big lead in the all-party group on dementia and in giving great advice in authoritative reports to hon. Members in all parts of the House.

What was estimated to be a £14 billion gross spend in 2006-07 is forecast to double to between £24 billion and £31 billion, depending on the decisions that we make now. In addition, the baby-boomer generation, having put its parents through the system, is about to go through the system itself. The national feeling is that those who have done the right thing in paying their stamp, scrimping together hard-earned savings in cash or assets, paying off their mortgages if they had them or sacrificing some lifestyle choices in their earning years to build and earn pensions and are now on ever-threatened fixed incomes—particularly in view of the current rising cost of living—are very anxious as the consumers of long-term care, as are their families. As the Minister said, they are the ones who are unlikely to settle for a system that is perceived as either unfair or inadequate.

This key issue is growing in the minds of English people—technically, given devolution, they are the people we are talking about today, but it is fair to say that the issue has a strong read-across to the other parts of the United Kingdom—partly because of their own experience and partly because of increasing media interest. I single out and congratulate in particular the *Daily Mail* on its dignity for the elderly campaign, the *Daily Express* on its respect for the elderly campaign and, indeed, the BBC's "Panorama", "File on 4" and "Today" programmes on raising the profile of the issue. I join the Minister in accepting that, when the media have been responsible, they have indeed helped to highlight the issue.

Mr. Ivan Lewis: It is reassuring to hear the hon. Gentleman describe this as one of the most important issues that we face. The leader of the Conservative party established a working party on social care. Will the hon. Gentleman tell me how often that working party has met and whether it has reached any conclusion?

Mr. O'Brien: The great advantage of working parties is that they advise our party, and I hope that they greatly benefit what we are doing. That working party met very frequently, covering not just social care but health, housing and education. Of course it would be completely wrong to single out any of those parts. The Minister must know, from the research that I dare say he jumped up to try to read into the record, that the working party has met numerous times. It is important to recognise that we are all spending a lot of time and effort trying to understand and grapple with the issue that faces all of us and that is very much on the minds of the people we represent.

Excellent work is being done by organisations concerned with social care. The Wanless review from the King's Fund underpins much of the current debate. The Joseph Rowntree Foundation, Help the Aged, Age Concern, the Local Government Association and the International Longevity Centre UK have all led the debate, with organisations such as Carers UK and the Alzheimer's Society, among many others, feeding in their experience. I pay tribute to those organisations and encourage them to continue to hold the Government's feet—indeed, all parliamentarians' feet—to the fire. I am sure that those of us present hope to do just that today.

The Minister has said that the issue poses as big a threat to the country as climate change; the Secretary of State for Health said the same of obesity. Clearly, that is the metaphor of choice at the Department of Health. The difference is that we have direct control over the issue of social care. We know how the policies that we adopt will affect the future. The question is: are the Government doing enough, or could they be accused of dragging their feet?

The enormity of the issue and the political impetus that it has gained has given rise to

> "a large amount of political will at the moment to try and really solve this problem."

That is what I said at the launch of the Caring Choices coalition report last year. The Minister said at that event that it was "absolutely crucial" to achieve political consensus, and the Liberal spokesman on that occasion, the hon. Member for North Norfolk (Norman Lamb), said that that "ought to be possible".

Consensus will come about only through serious discussion of the issue, underpinned by meaningful, trustworthy research and consultation. It is fair to say that there is consensus in the analysis of the problem, as the Minister suggested. It is right to put it on record that I agree with a great deal of what the Minister said in his opening remarks about the elderly, those who have lifetime conditions and needs, children, disabled people and those who have to take advantage of mental health services. It is important to recognise that we in the House share our analysis of the problem—the need, the demand, the technological opportunities and people's increasing anxiety to take control of their care and lead good, independent lives, often in their own homes, as far as is possible. We have to recognise that what is needed today is a Government proposal for a solution. It is on that point that there is anxiety, and on which I will focus much of my contribution.

If consensus is so important, we might start by placing it on record that it would perhaps have been helpful if a Liberal spokesman and I had been invited to the Prime Minister's launch on the future of social care. The Prime Minister ended his speech on that occasion by stating that he looked forward to building a consensus on the best way ahead, but it is quite difficult to do that if one excludes the very people with whom that consensus needs to be built. I hope that the Minister is committed to consensus in deed, as much as in word. If so, perhaps he should start by getting his Prime Minister to be a little less tribal, and to start to look at the national, big picture, rather than the narrow, Labour party view.

Roger Berry: The Conservative pledge at the last election to provide free residential care after three years would have benefited the rich and would be worth nothing to people on lower incomes, such as my

[Roger Berry]

parents. In the spirit of getting rid of tribalism, will the hon. Gentleman assure the House that his party is withdrawing that policy and listening to the debate?

Mr. O'Brien: Given that I was at a meeting yesterday with the hon. Gentleman, who was there as chair of an all-party group, I am disappointed that he should take such a cheap approach. As it happens, in the 2005 election, our party—not his party or the Liberal Democrats—was the only one that had any policy on the issue. Furthermore, it is absolutely the case that Wanless applauded our limited liability model. The hon. Gentleman tries to suggest, from a sedentary position, that I have just said something untrue; I hope that he will withdraw that immediately, as Wanless went out of his way to praise our limited liability approach.

Roger Berry *rose—*

Mr. O'Brien: Before the hon. Gentleman tries to recover his position, I have said on the record that we are looking carefully at building on the policy that we were able to offer at the last general election—uniquely among all the main political parties—by saying that we are considering the partnership model. That is different, and we are also building on that, but at least we had something to put forward—something that does not just favour the rich, but which would give people certainty, in view of all the uncertainties, that at least some contribution would be made.

I will give way to the hon. Gentleman again if he wishes to correct his original intervention, which he got badly wrong. He should have tried very hard not to show that he was such a partial all-party group chairman.

Roger Berry: I am grateful to the hon. Gentleman for giving way. I am sorry—I was trying to correct what I thought was a tribal comment on his part. I was making a simple point about the Conservative policy at the last election. My question was whether they have withdrawn the policy which, in guaranteeing free home care after three years, would clearly benefit the better off and would mean nothing whatever to people on low incomes, like my parents who, after three years, would have seen their savings gone. In the spirit of trying to achieve a fair system, will the hon. Gentleman acknowledge that that proposal ought to be withdrawn? Yes, let us look at partnership models, but that was not one of them.

Mr. O'Brien: It was indeed one of them. The hon. Gentleman should read the Wanless report again. I am very surprised at his inaccuracy. I look forward to our forthcoming manifesto. There may well be a successor policy to the original one, but I am not suggesting that we are withdrawing a policy that made the British public proud that something was at last being offered to them at the previous election.

Mr. Lewis: Is the hon. Gentleman saying that the current position is that there is no policy, or that the policy that was in his party's last manifesto stands? Does the Conservative party have a policy on the matter? Does the policy in the last manifesto remain its current policy?

Mr. O'Brien: The position is clear. As we approach the next general election, of course there will be a manifesto for that election. In the manifesto that we presented at the last election, there was an offer—uniquely, given that the other two main parties had no policy to offer, and have published no policy since. I shall describe why the Government have been so lacking in offering solutions.

Mr. Burstow: Will the hon. Gentleman give way?

Mr. O'Brien: No. None of us wants to give time to the Lib Dems until they can show where £2 billion comes from.

Tribalism is typically unfortunate as we try to develop a consensus. In the light of the political good will that I shall try to establish, the public interest and the high quality of the debate that has been conducted by third party organisations, it was disappointing that the document underpinning our debate, "The case for change—why England needs a new care and support system", did not seem to come up with a proposal. It forms the basis for consultation and discussion, but it does not offer leadership and a way forward in an area where the third sector and the official Opposition have offered proposals.

The document offers no solutions and few facts, and barely outlines the problems. We were expecting the Government to begin grappling with the detail of the issue, but the document turns out to be, yet again, part of the consultation. I accept that the consultation is what the Government promised in the comprehensive spending review. We were promised continuous consultation, rather than action, and that is what we have. All of us hoped for more from the Government, and it is a shame that we have been driven by reviews. There have been 55 reviews since the Prime Minister started less than a year ago.

We are consulting in advance of a Green Paper, which itself is a consultation document. I am the first to recognise that consultation is important, but at some stage the Government must take action. The Minister said of the by-election in Crewe and Nantwich, the seat neighbouring mine:

> "We face a stark choice. This is either the beginning of the end for Labour or a call to action."

I hope he heeds his own call for action. He might say that the Government are consulting now and will publish a Green Paper leading, presumably, to a White Paper and perhaps some legislation. The Government, we hope, will not find themselves trapped in a constant cycle of consultation. I leave aside Tony Blair's cry in his 1997 conference speech:

> "I don't want children brought up in a country where the only way pensioners can get long-term care is by selling their home."

For 11 years, Labour has held to that promise and, for 11 years, has failed to do anything about it. The Prime Minister, in launching the consultation—

Mr. Lewis: Will the hon. Gentleman give way?

Mr. O'Brien: No, I will not give way. Let me finish the paragraph.

The Prime Minister said:

> "Younger adults are aware that much of their parents' hard-earned housing wealth may disappear… At some point in the future people may have to sell a treasured home to pay for their own care…Too many people fear the prospect of selling their homes."

After 11 years, we are still in exactly the same position. I remind the House that we were led to believe by the Minister and his predecessors that the last CSR would provide some concrete proposals. That was last year.

Dr. Ladyman: Will the hon. Gentleman acknowledge that the Government have given a sum of money to all local authorities to allow them to put a charge on an individual's home so it does not have to be sold in their lifetime if they do not wish it? The reason why so many Conservative MPs complain that people have to sell their home when they have a care need is because their constituencies are in Conservative council areas that do not bother telling people that this money is available.

Mr. O'Brien: The hon. Gentleman did not produce any figures to justify that. The Minister himself said that he was not clear how much of the deferred payment scheme had been taken up, but it has been very light. I take issue with the hon. Gentleman's belief that that has made any tangible difference to people's concerns about having to sell their own homes. He knows that that is the case; otherwise the Prime Minister would not have said what I have just quoted.

When Sir Derek Wanless published his report on 30 March 2006, the Minister's predecessor, the Minister for Borders and Immigration, the hon. Member for Birmingham, Hodge Hill (Mr. Byrne), headed off the criticism of his Department by announcing his intention—supported by the then Chancellor, now the Prime Minister—to conduct what he called a "zero-based review" starting from scratch to reassess the whole social care budget for older people. The announcement was that the Department of Health would

> "conduct a review of social care, starting from first principles on how social care is funded. We believe this is a once in a decade chance to undertake a fundamental review of social care costs."

This review of long-term care funding

> "would inform the Department's plans for social care funding, which will be submitted to the Treasury as part of the comprehensive public services spending review in 2007."

Building on the expectations raised by that, the Minister spent the 18 months before the CSR talking up what the Government would do through

> "a new settlement in social care",

a quote I have often used with him, in the CSR.

In February last year, the Minister said:

> "We continue to negotiate with the Treasury to secure a fair and reasonable settlement as part of the comprehensive spending review."

In March he said:

> "We will assess the proposals for the future provision of long-term care services as part of the long term vision of the comprehensive spending review 2007."

In June he said:

> "We are arguing forcefully…with the Treasury about the importance of a good settlement for social care under the comprehensive spending review."

Yet when the CSR came, there was no evidence of any zero-based review having been undertaken and little evidence of any impact of negotiations with the Treasury. There were certainly no solutions to the funding of long-term care.

Furthermore, I have asked a raft of parliamentary questions about the zero-based review. It has met only four times in total; in June, July, October and November 2006, concluding a year before the CSR. The Department did not quantify the work of the group; that is supported by a written parliamentary answer. I cannot track down any evidence of the work done, any report, any recommendation or any impact at all. I should also mention the concordat "Putting People First," another bundle of paper with no firm commitments, proposals or bases for action.

Mr. Lewis: Will the hon. Gentleman give way?

Mr. O'Brien: Perhaps I could develop my argument a bit more; the Minister did very well to take a full 50 minutes. He was keen to paint a record that was very lopsided.

Mr. Lewis *rose—*

Mr. O'Brien: However, I shall give way very briefly.

Mr. Lewis: The "bundle of paper" to which the hon. Gentleman referred was signed up to by a gentleman for whom I have a lot of respect—Sir Simon Milton, who is a member of Boris Johnson's cabinet. He is the most senior Conservative councillor in this country.

Far from being a "bundle of paper", what the hon. Gentleman referred to is the beginning of a three-year radical transformation programme, supported by more than £500 million of Labour Government money in every local authority area in the country. Does the hon. Gentleman wish to withdraw his description of it a "bundle of paper", given that it is in fact a three-year transformation programme supported by more than £500 million?

Mr. O'Brien: The Minister has admitted that he regards that not as taxpayers' money, but as Labour Government money—a rather unusual approach to identifying other people's hard-earned money. What is key is that there was no firm commitment or proposal as a basis for action on the issues that we are addressing today. That is the central point.

The Minister has said that the Prime Minister is "out of touch"; that may be why the Prime Minister and the Government are so desperate to consult. At least we have the promise, on the record, that the Green paper will be published in early 2009—given what has happened in the past, "early" means any time between January and July. Assuming a three-month consultation period thereafter, the White Paper will come out at the end of 2009 at the earliest. Will that really come five months before the last possible date for a general election? It would seem that legislation will be undertaken by the next Government at the earliest—nearly six years after

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Wanless published his review. The inescapable conclusion is that the Government appear to have tried to kick the issue as far as they can away from the current parliamentary Session.

What the Government should be doing is simple: getting together good data on the issue, as we have been arguing, so that parliamentarians can make policy from an informed position. The Government should have done that in the past 11 years. All the forecasts of demand are predicated on morbidity remaining constant as the population ages. What assessment have the Government made of that?

More scandalously, the Government do not know how much is currently being spent across public and private purchasing, different Government Departments and local authorities. A cursory glance at the *Official Report* shows a raft of hundreds of questions, from me and many other hon. Members from across the House, that are answered with statements such as, "The information on numbers and costs is not held centrally." The Government have also failed to do any modelling on how different funding structures might impact on public and private finance, consumer and provider incentives and the shape of the market.

The National School for Social Care Research, launched last week, will, we hope, provide some of the academic rigour needed to underpin this debate. We will be watching closely to see that it does. If it lives up to its billing, the school will be long overdue and much welcomed.

Sir Derek Wanless flagged up Kent county council's long-term care insurance. It looked promising to him, but neither the Department of Health nor the Treasury would fund further study, as each said that it was the other's responsibility. Other councils, such as the Conservative-controlled Isle of Wight council, have recently started to provide free social care to all those over 80. Why are the Government not investigating those? As we assess the Government's action, it is fair to ask why in the past 11 years they have not done what was easily identifiable as necessary.

I shall move quickly over the Liberal Democrats' free personal care proposals during the last election; the policy was unaffordable and their health spokesman called—

Sandra Gidley (Romsey) (LD): Boring! You're so tedious!

Mr. O'Brien: Ah! I am pleased to see the hon. Lady in her place. She, the Liberal Democrat health spokesman, called that policy during an Adjournment debate, on the record, "dishonest"—an appellation that she went on to attach to all Liberal Democrat manifesto writers.

It seems that the policy has been quietly dropped by the latest Liberal Democrat leader, the right hon. Member for Sheffield, Hallam (Mr. Clegg). Many weeks after it was originally said that it had been dropped, it has also finally been dropped from the Lib Dem website. The Liberal Democrat spokesman will no doubt tell the House that the Lib Dems have committed to a "care guarantee" based on Wanless's partnership model, along with a £2 billion price tag. It is fair to say, however, that until the Liberals have said what each person might be guaranteed and given an indication as to where the money will come from, the House need not be detained by giving the proposal any credence. It is interesting to note that the Minister said that the free personal care that was offered in Scotland had never been deliverable, let alone delivered, because of the disparities between local authority provision in Scotland and because it completely omitted the so-called hotel costs of accommodation and food. As there was a combined Labour-Liberal Administration at the time, I am sure that the lesson has been taken to heart that that policy could not be afforded. That is another element in building the consensus that has at last been arrived at.

We need to find a way forward on carers, on whom the Minister spent a little time in his speech. There are about 6 million carers in the UK, and more than three in five of us will become carers at some time in our lives. Too often, carers bear the brunt of inadequate provision of care and support, and they are among those who are suffering most because of the Government's prevarication on reform. In its helpful briefing for this debate, Help the Aged calls for carers to be supported as an integral part of the care and support system. I pay tribute to the work of Carers UK and many other partners of carers week, which takes place next week. We are still waiting for the new deal for carers; I think that the Minister said that it will be delivered relatively shortly.

It is important to recognise that carers have become very concerned about the changes made to service provision and regular respite care, particularly locally, through changes to the carers grant. I make a distinction between the announcement on emergency respite care and the need for regular predicted respite care, which remains of serious concern to many carers. Carers suffer most because of squeezes by councils on eligibility criteria. We are therefore looking seriously at how carers can be included as part of the original assessment of the care needs package of the cared-for person. We need to include a recognition of the effects on the social and other aspects of the carer community. That may be a pointer in terms of the consensus that is being developed across the parties and across the House.

This applies equally to the grave concerns that we all share about young carers. In 2001, the census found that there were approximately 175,000 young carers in the UK, although that figure is believed to be higher by those working in the field. The average age of young carers is 12. One in three regularly misses school and one in four has no external support. That has led to tragedies such as that of Deanne Asamoah. Those of us who understand and are concerned about this issue know that there is a need to support young carers, not ban them. It is important that it is part of a family's choice, and often the young person's choice, that they wish to care for a parent, grandparent or other relation. The needs of young carers should be part of the original care assessment, as I said in relation to carers generally. When making the assessment of the cared-for person, there must be clarity about the needs of the young person and those must be taken into account in assessing the package of support that is required.

Mr. Lewis: I agree entirely with what the hon. Gentleman said about young carers. Does he welcome the fact that in the bundle of papers he referred to, there is, for the first time, a requirement on adult services to ensure that, as a result of the decisions that they make about an adult, no child or young person is left inappropriately caring for a parent? He is right to say that we cannot stop children and young people loving a parent who has an illness, and nor should we, but no child should have their childhood stolen through being asked to take on inappropriate responsibilities. Does he welcome the fact that in the bundle of papers he dismissed earlier, we call on adult services to ensure that that never happens to any child or young person?

Mr. O'Brien: I certainly acknowledge that there is a call. The issue has been support in resource terms to ensure that it happens. That support has not been translated into what is happening on the ground, which is why the matter has caused concern throughout the House and has been the subject of some debate. It is important that we try hard to maintain the consensus on young carers and carers in general, because the regularity of respite care is important to the health and welfare of carers, who are ultimately the people who will be able to deliver the best care.

Mr. Lewis: Will the hon. Gentleman give way?

Mr. O'Brien: No, I think I have given way generously to the Minister. There will be a chance at the end of the debate for him to put anything he wants to on the record.

Sandra Gidley: Give way!

Mr. O'Brien: I am going to move on because I think that the Minister has had more than a fair chance.

We must also tackle the issue of dignity. On Tuesday, the Commission for Social Care Inspection report on dignity for those in dementia care identified that only a quarter of the care homes inspected had detailed care plans that gave guidance about the residents' preferences for care. CSCI issued statutory requirements to half the care homes, detailing actions that they had to take to improve care provision, and an astonishing one in five were given requirements on maintaining people's privacy and dignity. It is clear that that is simply not good enough, but at the same time, we must praise and celebrate much of the good work that goes on in care homes, carried out by people who give such a lot of professional support.

The problem is not limited to the social care sector. The Healthcare Commission's report, "Caring for Dignity", which was published in September last year, looked at 23 trusts at high risk of non-compliance with dignity standards. The report noted that the profile of dignity had been raised in the NHS, and I am sure that the whole House will wish Sir Michael Parkinson well in his role as the dignity ambassador. Raising the profile is one thing, and concrete action is another. The Healthcare Commission noted serious failures of non-compliance, most often due to failure in providing single-sex accommodation. In addition, most trusts found it difficult to engage with patients with dementia and inadequate arrangements were made for uninterrupted meal-time environments.

As we know, the Healthcare Commission's most recent in-patient survey, published on 12 May, showed that one in four patients had to share a sleeping area with people of the opposite sex when first admitted to a hospital ward, and that one in five had to share a sleeping area with the opposite sex when moved to a second ward. Nearly a third of patients had to use the same bathroom or shower area as the opposite sex. The survey also highlighted malnutrition, with one in five patients not given enough help to eat their meals. It is important for the House to note that those failures are not primarily the fault of front-line care staff—far from it—or hospital managers. It is a question of the gulf between the words that are spoken and the ability to translate them into action.

Mr. Lewis: Does the hon. Gentleman welcome the fact that in the NHS operating framework for this year, it is made clear to NHS managers that minimising mixed-sex accommodation has to be a top priority? Does he also welcome the fact that the director general of Age Concern, Gordon Lishman, is overseeing an action plan to improve nutrition in the health and social care system? Finally, does the hon. Gentleman's party have any policies at all on how we will enhance support for carers in our society?

Mr. O'Brien: The Under-Secretary was right to say that Age Concern referred to malnutrition and I am glad to note the important work that will help tackle the problem. However, the problem emerged in responses to a series of parliamentary questions, which I tabled. The Government eventually gave the information, which showed a seriously adverse move, I think from 10 to 11 per cent., in the proportion of those going into hospital who left more malnourished. Government figures acknowledge that. It is interesting that Gordon Lishman said:

> "What we need is not just a discussion but a timetable for action. These problems have been with us since Labour came to power".

The Under-Secretary needs to be careful about whom he prays in aid.

Mixed-sex wards cause "indignity" and "distress"—a quote from Tony Blair in 1996. He said:

> "Is it beyond the collective wit of the Government and the health administrators to deal with that problem? It is a question not just of money, but of political will."—[*Official Report*, 19 November 1996; Vol. 285, c. 832.]

Yet the Government have reneged on their promise to end such wards, although the Secretary of State attempted to make a weaselly distinction between mixed-sex wards and mixed-sex accommodation. The Under-Secretary was rightly keen to identify dignity as central to many of the arguments about social care, but we must consider the Government's track record.

The Under-Secretary also rightly identified the importance of individual budgets for older and disabled people. We look forward to the publication later this year of the Green Paper on the individual budget pilot programme, which finished at the end of last year. We accept that individual budgets are key to giving more control to individuals. The Institute for Public Policy Research report, "Just Care?", which was published last week, called for joined-up services and consideration of the community and family context of care, a greater

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voice for the community, clarity in outcomes and supporting individual choice through budgetary control of services.

Oldham is a pilot site for the Department's individualised budget scheme and a "total transformation" site for In Control. To date, the pilot scheme has made an 8 per cent. saving in the overall budget. In the feedback from participants, 86 per cent. reported an improved quality of life, 56 per cent. said that opportunities to take part and contribute to their community were increased, 72 per cent. reported greater choice and control over their lives and 74 per cent. said that they had more dignity in their support. People should be able to take charge of their care and not be forced into accepting "one size fits all". Direct payments and individual budgets do not simply deliver savings—far from it—but give people the freedom to take charge of their lives and design their care services around their individual needs. It is vital to acknowledge that, although individual budgets and direct payments are no answer in themselves, they are positive when appropriate and should be encouraged.

Tightening the eligibility criteria has also caused great concern. As was pointed out earlier, yesterday evening, I attended the launch of the National Centre for Independent Living's report for the Coalition on Charging, entitled "Charging into Poverty?" It states that rising care charges put older people and disabled people at risk of not being able to afford to eat, heat their homes, wash or get essential support. It found that 80 per cent. of those surveyed who no longer use care services said that charges contributed to their decision to stop their support. A fifth of those surveyed who currently use support suggested that they would stop if charges increased further, and 29 per cent. of respondents did not feel that their essential expenditure on impairment and health conditions was taken into account in financial assessments for paying charges. That means that they have to choose between essential support and equally essential food, heating and utility bills. Nearly three quarters of those surveyed believe that the Government should think about the charges that people pay for support at home in adult care reform plans.

The Coalition on Charging is calling on the Government to conduct a thorough review of the impact of care charges from 2008 and for those issues to be addressed in adult care reform in England. We await the outcome of the eligibility criteria review from the Commission for Social Care Inspection, which the Under-Secretary mentioned, in relation to a power that I hope that the Health and Social Care Bill will not remove. We discussed that with the Minister of State, Department of Health, the hon. Member for Exeter (Mr. Bradshaw), in Committee and we hope that that power will not be temporarily suspended until the next general election. The continuing operation of CSCI and its successor, the Care Quality Commission, will be an advantage for all.

Often, the most vulnerable people affected by the various issues in long-term care and care for the elderly are the low earners and those subject to the means test. The Resolution Foundation, headed by the former special adviser to the right hon. Member for Sheffield, Brightside (Mr. Blunkett), has done some work on the impact of care charges, particularly the means test, on low earners in the UK. There are 15 million low earners in this country, 3 million of whom are over 65. Low earners are 25 per cent. more likely to be carers. They find the system complex, inaccessible and unfair, and have found it difficult to access the advice and information that they need. Again, I am happy to share the Minister's view on the importance of having access to good information and advice.

Low earners often have limited savings and their primary source of wealth is, as it happens, their homes. The Resolution Foundation's report says that 72 per cent. of low earners have levels of wealth that can exclude them from free care and argues that reform of the long-term care system is more important even than improving hospitals. That is the call for action coming from so many of the people who find that long-term care is their primary need.

I share the Minister's view, as I am sure hon. Members in all parts of the House do, that finding adequate resources to meet all those demands is a major challenge, given all the other challenges that we face. That is why it is important to get the Minister to urge all his colleagues and the processes within Government to come up with the final reviews, so that the final recommendations can be made and decisions taken. The principal frustration, at least on the Conservative Benches, is that we have been subjected to such a series of reviews that people do not have that base of information that is so important in coming to the conclusions required.

Mr. Burstow: In his opening remarks, the hon. Gentleman was critical of the Government for publishing a consultation document that was long on analysis but short on prescription. Surely the way for him to start goading the Government into developing their policies is for the Conservative party to set out what it would do, but that is signally not what we have heard so far. Will he tell us what the Conservative party thinks about such issues?

Mr. O'Brien: All in good time—and that is not just a light aside, but a serious point. When a Government are in office, they have a responsibility to produce the data that we have called for, upon which everyone can then make an informed judgment and formulate policy. *[Interruption.]* The Minister may say from a sedentary position that Wanless has done that, but the Government have said that they did not use the Wanless report as the base upon which they made recommendations. Indeed, the Minister's predecessor said that there needs to be a zero-based review, but that has not come forward. That is why we are all so mindful of the fact that the Government have not yet produced the base upon which policy is to be articulated.

The issues are wider than just care. Work force issues come high up the agenda in any reform of the sector. In 2007, Dame Denise Platt reported on the status of social care, with recommendations on supporting the work force with the establishment of a skills academy, a research centre, which I assume is what the Government launched last week, a journal and social care awards. I should be grateful if the Minister could update the House in his winding-up speech on those recommendations that he did not touch on earlier.

There are other issues, too. On Monday, *The Times* reported that criminal records checks for thousands of migrant staff are not being done. According to *The Times*, an estimated 240,000 foreign-born individuals were employed in the care-related sector in 2006, and they are vital to that sector, as the Minister said. The concern is not only that such individuals are going unchecked. Care providers are also concerned that they have paid £36 a time for checks that are not properly undertaken. Can the Minister tell us whether the providers are told when a proper check has not been carried and, if not, can the provider get its money back?

The issue is one of some interest. I understand from representations that I have received that the amounts of money are significant, which is causing care home owners and others to become anxious about a process in which they are obliged to engage. If the Minister cannot answer my questions immediately, I would be grateful if he agreed to write to me and anybody else who is interested.

This is a crucial debate for the House, and if it will speed up the Government's production of their review—I know that I speak for millions of people in this country in saying this—we would love that to happen. We would give a resounding cheer if it did. However, we are trapped in a consultation process, or even paralysis, when what is really needed is hard data collection, costed options and a grown-up discussion that can lead to a consensus policy approach based on the Government's proposals and recommendations.

I pay tribute to the many third-party organisations that are campaigning on this issue, and I urge them to continue to hold the Government's feet to the fire. I urge the Minister to put the vast resources of his Department, and the army of civil servants at his disposal, into collecting the necessary data and to bring those data, along with some serious measures, to the Floor of the House so that we can reach consensus on what is best for the most vulnerable people in our society. As Gordon Lishman of Age Concern said:

> "What we need is not just a discussion but a timetable for action. These problems have been with us since Labour came to power".

The Crewe and Nantwich by-election might have been, as the Minister has suggested, the beginning of the end for Labour. The Prime Minister and the party he represents might, as the Minister has indicated, be out of touch, but there is certainly a call to action on this issue. It is up to the Government to answer that call with more than just words; they need to translate them into deeds.

3.36 pm

Roger Berry (Kingswood) (Lab): I very much welcome this debate. I do not feel completely paralysed about talking about policy while waiting for someone else to produce some data. I genuinely hope that the national debate, and the response to the consultation document, will produce a consensus that will take us forward. I genuinely agree with the hon. Member for Eddisbury (Mr. O'Brien) that it is important for these matters to move quickly. Like him, I note that the Green Paper is planned for next year, and I urge my hon. Friend the Minister to ensure that it is produced early next year, if possible, and that decisions are made soon thereafter.

My hon. Friend the Minister is doing an outstanding job—*[Interruption.]* I have just agreed with the hon. Member for Eddisbury, yet he is churlish enough to speak from a sedentary position. I will continue, however. The Minister is doing an excellent job of developing this agenda, and I very much welcome the actions that the Government have taken thus far. Inevitably, however, there are certain things that we can urge them to do better and more quickly. Again, I agree with the hon. Member for Eddisbury—

Mr. Kevan Jones: Steady on!

Roger Berry: I note what my colleague says.

I agree with the hon. Gentleman that urgent action on some issues is necessary. The needs of many disabled people, older people and carers are not being met. The system is bureaucratic, wasteful and inefficient—

Kelvin Hopkins: My hon. Friend is making a very good point, but he missed out one important word: underfunded. That is the problem, is it not?

Roger Berry: If my hon. Friend had allowed me to continue my sentence, or indeed my speech, I would have said that. I will come to the issue of funding in a moment.

There is little doubt that we have unmet need and inefficiencies—multiple assessments are an example—and my hon. Friend the Minister has acknowledged that there are inconsistencies in local authority provision. Those factors, together with the fact that care packages are not portable between local authorities, mean that many disabled people, older people and their carers do not have the freedom of choice that they have every right to expect. I want briefly to discuss those issues.

It has been well documented that more than 70 per cent. of English local authorities restrict access to support to those who meet the highest eligibility criteria. There is an issue about access and about charges. Yesterday evening, I hosted a meeting on behalf of the National Centre for Independent Living to draw people's attention to a report that the centre has published on charging for care. It was a pleasure to be at that meeting with the hon. Member for Eddisbury. I will not repeat the conclusions that he brought to our attention, and I am grateful to him for doing so, but it is a fact—albeit, in this study, based on a small sample—that people are being discouraged from securing the care and support they need because of charging. They are afraid of increases in charging in the future. That is notwithstanding the fact that the Government have put far more funding into social care than the previous Government. It is a fact that funding for local authorities more generally has been significantly higher than under the previous Government. However, we all know that demands are increasing for demographic and other reasons, and that aspirations are, understandably, increasing.

The Coalition on Charging is right to say that we need an urgent review of charging policy in the context of the debate about care and support. It represents 18 well-known organisations, including Age Concern, Radar, the National Centre for Independent Living,

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Disability Alliance, Carers UK, the Alzheimer's Society, Mind and Mencap. Those very well-known, competent, professional and knowledgeable organisations are all urging us to tackle charging.

Jeremy Wright: Does the hon. Gentleman agree that one of the difficulties with charging is defining what is a social care need and what is a health care need? The Minister described a number of times the Berlin wall between health and social care. Is not the problem that sometimes some of the issues are being smuggled in or over the Berlin wall between those two, so that what is really a health care need, which should be funded entirely by the state, is called a social care need, and the person receiving the care has to make a contribution?

Roger Berry: The division between so-called health care and so-called social care has been a problem since 1948. Indeed, it was a problem before then; it was just that in 1948 our predecessors set up a national health service and did not attach a similar importance to setting up a social care system. I should declare an interest, although no longer financial, because both my parents are in the advanced stage of dementia. I therefore have direct experience of the problem, as well as the experience that we all have from our constituents. I have never understood why dementia, as a medical condition, means that the NHS can abandon its responsibilities and hand people over to the social care system, whereas for those with cancer, which is also a medical condition, it does something different. The logic is clear: if people have needs as a result of their condition, we should have a uniform policy.

In terms of funding, as a society the taxpayer needs to make a significant contribution. As my hon. Friend the Minister said, it is right that individuals and their families inevitably will make a contribution. That is the nature of the debate. However, I do not find it useful, and never have found it useful, to distinguish between health care and social care in the sense of trying to find one set of principles for access or funding that can be applied to health care, and then making a great leap and saying, "But by the way, there should be a completely different set of principles that apply to funding and access in terms of social care."

We are, as a society, trying to make progress—there is much closer working, for example, between the health services and social services in my area than there was 10, 15, 20 years ago. There is joint commissioning and joint budgets. For reasons that I do not need to repeat, I share the hon. Gentleman's concern that often we apply different principles in different circumstances without being able to justify them intellectually or in any other way.

On charging, my understanding—I hope I have got this wrong—is that the review of charging announced in the independent living strategy, to be led by the Office for Disability Issues, is set for 2009-11. I hope the Minister will tell me that I have misunderstood, and that it will be brought forward to become part of the welcome overall review of care and support.

Let me make a point that arises from the report published yesterday by the Coalition on Charging. As I have said, many organisations have expressed concern about this issue: organisations representing 10 million disabled people, 6 million carers, and who knows how many millions of older people, depending on the definition. Of course there is some double-counting and, indeed, some treble-counting, but the community of interest in care and support represents a very large proportion of all our constituents.

Disability organisations, older people's organisations and carers have united on this issue, as they have on the related issue of independent living. We would be well advised to recognise that, according to a major body of public opinion, it is time we did more to ensure that disabled people, older people and carers have the same rights, choices and freedoms as everyone else, along with access to good-quality care and support. Whether we agree with those organisations or not, as elected representatives we must recognise that they speak for a fundamental and significant group of our constituents, who will rightly demand action from us. A coalition of interests is emerging that I did not observe three or four years ago, and it is clear from the Government's response to the concerns expressed in the consultation document that they recognise that as well.

The report by the Coalition on Charging refers to the additional costs incurred by disabled people for such necessities as heating, equipment and accessible transport. Disability-related expenditures are important to the determination of charging policy, but it is often said that many of them are not taken into account for that purpose. We need to address charging policy extremely seriously.

Linda Gilroy (Plymouth, Sutton) (Lab/Co-op): I am very interested in the meeting that was held yesterday. I am not sure whether Leonard Cheshire Disability is a member of the coalition, and I do not know whether my hon. Friend has read its report "Your Money or Your Life". According to that report, when social care support is cut, family members are much more likely to leave their jobs to become full-time carers, and families then slide into debt, poor health and endless worry. Is that covered in the coalition's comprehensive report, and does my hon. Friend agree that the Government should take it into account?

Roger Berry: Leonard Cheshire Disability—another admirable organisation, for whose work I have great respect—has raised such issues on a number of occasions, and they are very pertinent. Earlier this year, it examined the implications of disability-related expenditures for the extent of poverty among disabled people. It is relevant to the debate, for obvious reasons, that according to official statistics three in 10 disabled people—3 million out of 10 million—live in poverty. If necessary expenditure on extra heating, adaptations, equipment, accessible transport and personal assistance are taken into account, according to the most conservative estimate a disabled person's cost of living is 25 per cent. higher than that of a non-disabled person. Leonard Cheshire Disability deserves credit for coming up with what must be the most conservative estimate, but if it is true, that means that not three in 10 but six in 10 disabled people live in poverty.

The additional dimension that I therefore want to introduce into the debate on the future of care and support is that—despite the Government's achievements in reducing poverty very significantly, including for disabled people, the extra money going in and all the other policies—we must recognise that as of today, there is a real challenge here, because many disabled people are living in poverty. When we talk about charging policies for care and support, we must not forget that fact.

Nor must we forget the obvious, which is that means-testing does provide disincentives for people to save. Gosh—I am agreeing with the hon. Member for Eddisbury again, but I am sure that we all know that. This is an important issue, particularly for those living on very low incomes. Indeed, if the Government are to meet their poverty targets, which I believe they will, they will have to address disability poverty, because we will not meet our child poverty reduction targets without reducing disability poverty. So this is an enormous agenda, and it is all related to the future of care and support.

My hon. Friend the Member for Luton, North (Kelvin Hopkins) raised the question of funding, and the truth is that we get the social services and social care that we as a society are prepared to pay for. I have always accepted the view—indeed, a sane person could not do otherwise—that taxation is the price we pay for a decent, civilised society, so it is self-evident that anyone who wishes to spend more money in a particular way has to be prepared to vote for it and to indicate where that money comes from. That is as true now as in any other circumstances.

I would add, however, that there are significant savings to be made in the social care system. There are ways in which—I am sure that the Government are looking at this; the organisations certainly are—the system could be made less bureaucratic, wasteful and inefficient. First, there are multiple assessments for benefits. I am often driven to tears, as we all must be, when a constituent tells me how many forms they have had to fill in to access benefits. Then, there is social care, housing, accessible transport, adaptations and so on—the list goes on and on. I met a constituent the other day who had assessments going into double figures. This is a complex issue and it is not easy to solve, but we can do better than that.

Mr. Kevan Jones: On adaptations, does my hon. Friend agree with me that it is not just a question of the bureaucratic cost involved, but the delay? For example, in County Durham the assessment is done by the county council and the adaptation by the district council, and the delay involved is sometimes not weeks but months. Throughout that time, the person who needs the adaptation is clearly suffering and having a very poor quality of life.

Roger Berry: I agree with my hon. Friend; we will all have encountered that experience.

It must be said that sometimes, it takes a long time for the assessment to take place, and then it might be out of date, so another assessment has to be made. Alternatively, the assessment is made when one is absolutely convinced that the relevant local authority has no intention of sanctioning the expenditure. Resources are spent assessing people's needs when there is grave doubt, to put it mildly, whether the resources are there to meet those needs. That is not a very efficient way of using money.

Also, reducing delays in meeting people's needs can be not only the right thing for the individual but incredibly efficient in using public resources. The Office for Disability Issues has examined a range of initiatives on independent living and has pointed out, for example, that investing in housing adaptations and improvements can result in long-term savings. If we invest in the adaptations necessary today, we are less likely to have to spend on social care or residential care further down the line. On occasion, I am not sure whether we have a system at all. We have a jigsaw puzzle; we have a mixture of initiatives, some coming from one area, some from another. The collective effect of our complicated system is that if decisions were made quickly, they would often result in overall efficiency in the system. Some up-front funding in a range of areas, including housing adaptations and support, could lead to the efficient use of resources in the future. We must recognise that we get the care and support system for which this country, as a society, is prepared to pay.

Dr. Ladyman: Does my hon. Friend agree that another problem is that the one significant area of a council's budget that is not ring-fenced is the adult social care budget? That means that it is in the council's interest to raise charges, to extend eligibility criteria and to exclude people from care, because it can then use the money somewhere else, if it wants to do so.

Roger Berry: My hon. Friend, who has great expertise in this area, is absolutely right; the point has been well made, and I hope that he will get the opportunity, in a moment, to make it at greater length, because it is significant.

I have been talking about the fact that investing more in improving the care and support system can, in many respects, be good finance, because money is saved further down the line. We should not forget the obvious: that investing in enabling people to live better quality lives not only gives them their rights, but it enables them to contribute to society. The Minister made the point that we are talking about individuals who not only have rights, but who, if they are enabled by having the same freedom, choice and opportunity as everybody else, can make enormous contributions to our society. We should get away from any notion of a burden.

I wish to give others time to contribute to the debate, so I come to my final point, which relates to the inconsistencies in local authority provision and the fact that care and support packages are not portable from one local authority to another. I was first made aware of that major problem more than 10 years ago, when there was a lobby in support of disability rights in Westminster Hall—that has since been repeated. I met someone from Lambeth who told me that he wanted to move to Southwark—I cannot remember whether he wanted to move in order to work or to live in Southwark, or to do both.

This individual wanted to move from one London borough to the borough next door. When I did that—I used to live in Lambeth and I now live in Southwark—I encountered no problem; I just moved. He faced the serious problem—it was not the trivial problem of just finding and sorting out somewhere else to live—of not being able to take his care and support package to the

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next-door borough. He was terrified of the prospect that if he moved from one borough to another, he would lose his entitlements and, moreover, that it might take ages—his perception is more important than the reality, but we know that these things take time—perhaps a year or so, for his care and support package to be sorted out by the next-door borough. He told me, "I am a prisoner in Lambeth. I don't have the freedom that you have. It took me ages to sort out a decent care and support package. I am happy with it, because it is a good package, but I want to live somewhere else." We are not talking about another country, because he was moving next door, to another London borough, yet his package is not portable.

For many years I was a local councillor and I believe that localism has many merits, but it also has many disadvantages. The hon. Member for Eddisbury and I were at a meeting last night and the one occasion on which I got a round of applause—perhaps the rest of my speech was not very good—was when I said, "This is localism gone mad." The disabled people, older people and carers present knew what I was talking about. Baroness Jane Campbell and many others have made the point that the lack of portable care and support packages denies disabled people freedom and choice. It is not good enough that each individual local authority should have its own packages.

My personal view is that disabled people and others want a fair and universal system for care and support packages. I am not saying that local authorities should not be the very important agents that implement the packages or arguing that we should reduce their important role in this matter. However, it imprisons disabled people if they cannot move their care and support packages.

Care and support is a vast and challenging area, and I commend the Government on the progress that they are making. It is part of the commitment to make progress on independent living. However, we still have a long way to go before everyone can exercise the freedom, choice and rights that independent living means. It should be a priority for policy developers and for resources, because millions of our constituents deserve nothing less.

4.1 pm

Mr. Paul Burstow (Sutton and Cheam) (LD): I welcome this debate on the Floor of the House on a key aspect of public policy that all too often does not get the attention that it deserves. It is especially good to follow the hon. Member for Kingswood (Roger Berry), who rightly drew the House's attention to the coalescing of coalitions around the need for a much more rights-based approach to the delivery of care as a key part of making progress on this agenda. I hope that at the end of the debate the Minister will respond to the hon. Gentleman's remarks about portability, because it is nearly impossible for people with a care package to move from one locality to another with confidence that it will continue in place.

Listening to the remarks by the hon. Member for Eddisbury (Mr. O'Brien), I thought that they were a model of the speech that someone should make if they were keen to be spotted through Google. All the key words were trotted out, such as Alzheimer's Society and Age Concern—it was a list of the key words that people interested in the issue would punch into a search engine, but anyone who found the hon. Gentleman's speech in that way and started to read it would find that it had nothing at its heart. It had no substance: we heard nothing but analysis, with no prescription or any attempt to suggest that the Conservatives had any policy, other than during an exchange with the hon. Member for Kingswood about the Conservatives' 2005 policy.

That 2005 policy is, we understand, the party's current position on the funding of long-term care. It is described as a "limited liability model". Well, it is certainly limited, in a range of ways. Most importantly, it is deceitful in saying that the state will step in to meet the care costs of an individual in long-term care only after three years. That is deceitful to the public because the average life expectancy of someone in care—these figures are quite dated—is little more than 18 months. For most people, therefore, the liability is limited absolutely and they would never become eligible for state support under the system proposed by the Conservative party at the last general election. The reality is that, in the past few years, because of tightening of eligibility criteria, life expectancy in care homes has become even shorter.

We also heard the curious argument that the Conservative party is in some way frozen, unable to develop a policy, because the Government have not yet published all the data. The hon. Member for Eddisbury gave us data by the bucket load, yet the Conservative party still cannot articulate a policy of its own. I hope that the timetable that the hon. Gentleman urged on the Government will soon be published by the Conservative party, too. The people of this country need to know what the Conservative party, as well as my party and the Labour party, has to say on these issues.

I want to move on and say something about my party's position.

Linda Gilroy: Before the hon. Gentleman moves on to the subject of his party's position, did he notice, as I did, that the hon. Member for Eddisbury spoke with some pride about a Conservative council that gave free care to the over-80s? Does his analysis of that coincide with mine, which is that in those places—I would call them the leafy suburbs, although the Isle of Wight, which he was talking about, hardly fits that description—where people are better off, they tend to live longer? That means that the better-off are favoured compared with those who struggle throughout their lives to live, to eat and to have good health.

Mr. Burstow: Those issues are inherent in the system. There is that difficulty. The hon. Lady has made her point very clearly and it is now on the record.

When I approached my preparation for this debate, I was overwhelmed by an incredible sense of déjà vu. More than a decade has passed since Labour came to power, promising to tackle the long-term care issues that were facing this country. Secretaries of State and Ministers have come and gone, and so have consultation papers, Green Papers and reviews—even Prime Ministers have come and gone. Yet one constant remains: social care in this country is still a poor relation of health policy and of almost any other aspect of public policy. It is undervalued and underfunded, and there is much within it that is unfinished business.

Why do I say that? One has only to look at the record. For example, in March 1999, as the then Secretary of State for Health, the right hon. Member for Holborn and St. Pancras (Frank Dobson), concluded his statement on the royal commission on long-term care—I am sure that some hon. Members will remember that august group and the publication that it produced, which is still gathering dust in many parts of this House—he said:

> "I hope that the royal commission's report and the debate that it will stimulate will help us to find a way of ensuring that people have access to high-quality long-term care that is fair to both individuals and the taxpayer. I hope that it will be founded on a consensus that will stand the test of time: a dependable contract across the generations. That is of great importance because, second only to good health, elderly people seek financial certainty and security, and that is what the Government are determined to deliver."—[*Official Report*, 1 March 1999; Vol. 326, c. 743.]

Some determination—10 years have passed, but those words could have been almost exactly replicated by the Minister today. Indeed, in some ways, they were.

I do not deny that it is good to have consultation and dialogue and to build consensus, but the Government embarked on the process in 1999, and 10 years on we are still waiting for the action that will begin to transform the system. Ten years on, the system for funding long-term care is as confusing, unjust and unfair as it ever was. Instead of acting, the Government have been content to defend and tinker with the status quo, introducing piecemeal changes of the sort that have been set out by the Minister in his speech today, but failing to tackle the fundamental unfairness in the system.

In those 10 years, the health service ombudsman found that the NHS and the Department of Health had allowed thousands of elderly people to be ripped off, paying for care that should have been fully funded by the NHS. Just this week, a constituent of mine wrote to me to tell me of the long-running battle to recover the costs of their mother's care, which, as is now accepted, should have been funded by the national health service. She has just received a cheque for £91,000 as a consequence. The sums that have been repaid to people as a consequence of what is, frankly, the mis-selling of care by the Government and the NHS run into hundreds of millions of pounds. Yet, thanks to the conspiracy of silence between the NHS and far too many social services departments around the country, people have been means-tested, which happened to my constituent's father, who was forced to sell his home to pay for long-term care.

Even now, the lottery of access to care continues. Huge disparities remain between the numbers of people primary care trusts say will qualify for NHS continuing care funding. Of course, the new framework is welcome, but it does not yet appear to be getting the traction necessary to effect the sort of change that the rhetoric suggests is being demanded. For example, figures from Age Concern just last year show that, in Gloucestershire, funding for continuing care covered just six out of every 50,000 head of population, compared with Coventry, where 88 out of every 50,000 people got access to NHS continuing care. Any plan for the future of care and support must deal with the funding question.

A new financial settlement for social care must strike a better balance between the funding of health and social care by local and central Government and individuals and families, as well as the mixing in of private and voluntary sector contributions. The royal commission on long-term care offered a way forward to deliver such a rebalancing of the system, but the then Chancellor of the Exchequer set his face against the commission's central proposals. Indeed, by the appointment of those who served on the commission, he sowed the very seeds of its own failure and destruction.

I regret the fact that the then Chancellor chose to set his face against the commission. I believe that good policy demands that we look at the evidence and that we learn from experience. That is why the Liberal Democrats championed the case for implementing the commission's central proposal. In government, that is exactly what we did in Scotland, and we saw the idea made reality. Perhaps it is not a perfect reality, but we still believe to this day that we should see that as a cause of pride, because it made a difference in Scotland and because those who independently assessed the scheme acknowledge that it made the system somewhat fairer, although perhaps not fairer overall.

Dr. Ladyman *rose—*

Mr. Burstow: I will take the hon. Gentleman's intervention, as we sparred on a number of occasions on these subjects when he was a Minister.

Dr. Ladyman: The independent assessment that said that that policy was a good idea was carried out by the man who came up with the idea in the first place.

Mr. Burstow: I am referring to the assessment done by the Joseph Rowntree Foundation a couple of years ago, which was separate from Lord Sutherland, who, quite rightly, has also done such an assessment, in which he was prepared to acknowledge both the warts and the good points. The Joseph Rowntree Foundation acknowledged in its assessment that the system had been fairer than the one that still operates in England.

Kelvin Hopkins: I have been agreeing with the hon. Gentleman, and I strongly support the royal commission's conclusions on paying for care. Since then, however, the Liberal Democrats have backed off and joined the Tories and the Government on these matters. Is he not speaking against his own party?

Mr. Burstow: Not at all; I am taking some interventions that have stopped me getting to the point of my comments. At the top of this part of my remarks, I simply said that no good policy and no one involved in policy making can ignore evidence and experience. Although there are good aspects to the delivery of free personal care in Scotland, some aspects of it are not working. Some perverse incentives have been built into the system. We accept that they mean that we must change our policy, and we are doing so.

Let me set out what we think needs to happen. Even if we are changing our policy, we are the only ones who

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still have a policy and are prepared to articulate one. No policy has been articulated by the Conservatives, and we have not yet had one from the Government. As the hon. Member for South Thanet (Dr. Ladyman) rightly suggested in his intervention, Lord Sutherland said that the system in Scotland had problems, but he also acknowledged that it is working well in many ways. In recognition of those difficulties, we have changed our policy.

In striking a fair balance of funding, it is essential that absolutely everyone is clear about who pays for what. Lack of transparency is the fatal flaw in the current system that must be addressed. We believe that when framing new policy, any Government must clearly mark out what funds come from the state through the taxpayer, and what comes from the individual. The foundation of any new system must be the principle of universality, to ensure that every person has access to a guaranteed minimum standard of care.

Liberal Democrats believe that the work that Derek Wanless did for the King's Fund offers a practical way forward: that work suggested a personal care grant based on need, not ability to pay, for those who require personal care. Under our proposals, that payment will be set at two thirds of the cost of all the care that a person needs, guaranteeing a minimum standard of care. On top of that, every pound that an individual spends to make up the other third should be matched pound for pound by the taxpayer. That would create the climate necessary to incentivise and reward saving and ensure that there is the necessary means to fund fully a care system. Those who are on low incomes should be entitled to support for their care costs through the benefits system.

Putting that new settlement in place will not be without a cost. The point made in interventions in this debate is absolutely true: we cannot get something for nothing when it comes to trying to drive up standards and deliver better quality care.

Dr. Ladyman *rose—*

Mr. Burstow: I shall just develop my point a little bit, if the hon. Gentleman does not mind. Based on the modelling that has been done for the London School of Economics by Julien Forder, who was involved in the Wanless work, it is estimated that the cost to the taxpayer of our proposal for paying two thirds of the cost of care and matching additional individual contributions pound for pound would be £2.1 billion. That cost, and how we pay for it, will be set out in detail in the costings documents that we always publish as part of our manifesto, which are always appraised independently, found to add up and found to be effective in demonstrating how measures are delivered.

Paul Holmes (Chesterfield) (LD): Unlike the Conservatives.

Mr. Burstow: Unlike the Conservatives.

Several hon. Members *rose—*

Mr. Burstow: I am spoiled for choice. I will give way to the Minister.

Mr. Ivan Lewis: I respect the hon. Gentleman's contribution to our debates, but from an economic literacy point of view, how on earth can one come up with a policy without identifying how it will be paid for? He has just conceded that his party has not yet done that, but says it will find a way of doing so at some point. He has identified the policy and how much it will cost, but he has completely failed to identify how it will be paid for. How much extra tax would the average taxpayer have to pay if the policy were delivered?

Mr. Burstow: I will not take any lectures from Treasury Front Benchers, given the debacle of the doubling of the 10p tax rate and the fact that extra money was borrowed to get us out of that policy. The Government's record on fiscal responsibility went out of the window then. We have said that we will identify specific savings, which will be earmarked to pay for our policies, and we are doing so. We have already set out some, and we will set out more. We will deprioritise some issues in order to prioritise care of the elderly. Surely that is what any sensible Governmen do when allocating resources.

Dr. Ladyman: Will the hon. Gentleman give way?

Mr. Burstow: No, I would like to make progress. I will take another intervention in a minute, if the hon. Gentleman will bide his time. I am sure that we will still be somewhere near the subject when he gets his chance to intervene. It is not just our belief but that of many independent experts that that £2.1 billion extra a year is the minimum necessary to provide the care guarantee that every elderly person in the country needs. Such an approach has been welcomed by a wide range of organisations. I will not make a "Google point" by listing them. Let us be clear: there is no cost-free solution, as much as the Government might want us to wriggle on that hook, and might want to try to embarrass my party and me because we have outlined how much extra we think needs to be spent. The current system is unfair and not fit for purpose, and additional investment is essential to allow the system to move on to what we need for the future.

Dr. Ladyman: Will the hon. Gentleman give way?

Mr. Burstow: I will; the hon. Gentleman is persistent.

Dr. Ladyman: I am grateful to the hon. Gentleman. He described his policy as a two-thirds-for-free package, followed by a pound-for-pound match by the taxpayer. According to my simple arithmetic, the Liberal Democrats have moved away from free personal care to five-sixths free personal care. In other words, the only extra money that the individual will provide is one sixth of the total cost of personal care. Given the demographic changes that we foresee in the next 20 years, that is not a £2 billion cost but a cost of something like £10 billion. Where will he get that sort of money from?

Mr. Burstow: The hon. Gentleman will recall from his detailed study of the royal commission's report when it considered projections that it concluded, first, that we should not allow ourselves to be driven to distraction by the myth that a demographic time bomb is about to explode and make it impossible to provide dignity in old age; and secondly, that in terms of the share of GDP that will be necessary over the next 20 to 30 years, the increase will be less than 1.1 per cent of GDP to realise the free personal care proposals.

In his report, Derek Wanless set out the implications for GDP. By 2050, the cost reaches about 2.6 per cent. of GDP, compared with its present level. As a price that society should be prepared to pay, a slightly increased share of GDP for dignity in old age is a price that I am prepared to go to the electorate and argue for. I am disappointed that the hon. Gentleman is not. There is no cost-free option.

Derek Wanless published a report for the Government which advocated increased investment in health care. It was a seminal moment after the 2001 general election, which gave the Government the case that they needed—the Chancellor's case—for a significant boost in spending in the national health service. We strongly supported that and voted for the extra resources to be made available. That report contains the seeds of a further concern of mine.

In his report on health spending, Derek Wanless rightly made a link between health and social care spending. He rightly identified that social care spending had lagged behind health spending. Over the past decade, NHS spending has increased by 70 per cent., whereas social care funding has risen by 14 per cent., yet in so many ways they are two halves of the same system: underfund one, and we undermine the other.

The Wanless report recommended a review of social care funding. The then Chancellor said no to such a review. Is that still the present Prime Minister's view? Is he willing to commit to the investment in social care necessary to deliver a sustained and better future for social care? That is the question that the Government so far have not answered, yet they expect us in opposition to do so. We have been clearer about our position and how much it will cost than the Government have been prepared to be so far.

All the indicators point to a system that is under huge pressure. Care is being rationed ever more tightly. The Commission for Social Care Inspection, in its report "The state of social care in England", paints a depressing picture of the system's difficulties. The number of older people receiving services has fallen year on year, while the number of people with unmet needs has risen. More than 120,000 fewer people are receiving home care than when the Government came to power. The commission found that more than 250,000 people are receiving no support at all from local authorities, charities or commercial care providers for the daily tasks with which they need help, and almost 500,000 are receiving less help than they need to maintain a decent standard of well-being.

That adds up to over 700,000 older people in England who are not getting the care package that they need. At the same time, there has been a 25 per cent. fall in the number of people having their care costs met by local authorities in the past 10 years, as a direct result of ever tighter eligibility criteria. The Leonard Cheshire report "Your Money or Your Life" has been mentioned. It paints a disturbing picture and presents ample statistics. I do not want to cite them, but I shall give two quotes from the report about the impact of ever tighter eligibility criteria on real people's lives.

The first is this:

> "He tried to commit suicide by drowning himself—he has fallen and banged his head".

The other quote is as follows:

> "He had 77 hours of care a week and it's been halved—he can't be on his own—he now shuffles around on his knees. He needs constant care."

Care is now routinely restricted and rationed in this country to those with substantial or critical need. I had to look up the definitions to be clear what that meant—just how critical one had to be, how substantial the need had to be.

The rhetoric is all about independence—a vision we can all share and embrace. The hon. Member for Kingswood rightly talked about the need for far greater emphasis on independent living in what the Government do. But to qualify on the basis of critical or substantial need, one has to have been the victim of abuse, to be the potential future victim of abuse or at death's door. Those are key criteria used to sift out those who are entitled to the largesse of the state and its support and those who are turned away.

The future of care support has to be a lot more ambitious. We must connect the lofty goal of independence to the reality of people's experience of the system on the ground. That is why the review of eligibility criteria is important, but it should not just ensure a level playing field. The level is so low at the moment that we have to do more to be ambitious to get the quality of life that we want people to enjoy.

It is not just who pays for care and the level that the taxpayer contributes to that care that have to be addressed. There is also a need to overhaul the legislation governing adult social care. Today, there are more than 40 Acts of Parliament governing the organisation and delivery of social care in this country. The legislation has all the hallmarks of its piecemeal evolution, with differing philosophies of care, reflecting the era in which the legislation was drafted. The National Assistance Act 1948 is a good example: crafted for a rather different view of the world in terms of how politics and public services would be delivered.

Private Members' Bills have attempted to crowbar important reforms into statute, the carers legislation being an obvious example. That is a good example of individual private Members leading the policy agenda in the House through legislation, but surely the Government need to take stock of the carers legislation. There are also considerable gaps, overlaps and contradictions between different existing pieces of legislation.

How is any practitioner, or anyone who wants to access the system, supposed to keep abreast of all the primary legislation, let alone the regulations and guidance? It is a mystery to me how we expect that someone we wish to take control of their budgets and personal lives will be able to do just that. The Minister was right when he talked about unintended consequences of the community care legislation, which to an extent left self-funders out of the system of being given support and helped to navigate through the system. That is why we need a new comprehensive adult social care Bill, which would consolidate and reform the way social care is organised and delivered, setting out in law the key

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principles that underpin the system. In many ways, this would address how we deliver that notion of independence.

The only way we can deliver a notion of independence is by empowering individuals to have the rights, even through the courts, to demand what they are entitled to. If it is down to care plans, guidance, Ministers making promises at Dispatch Boxes or local executive members of councils promising things, none of those is ultimately as tangible as the ability to take them to court and hold them to account. We need to look at how we ensure that the system is reformed in that way. At its heart is the idea of empowering users of services and carers to get what they need. In this way, the essential needs of carers can be met too.

No matter how good or gold-plated the social care system becomes, there is no substitute for the huge contribution of family carers. I have no doubt that the new national carers strategy, which is to be published next week, will contain much that will be welcomed on both sides of the House. Many will have contributed to the consultation, but unless carers have a legal right to services, too many will continue to shoulder a burden of care, paying the price with their own health and well-being as a result.

The Minister knows that I have raised concerns over the years about the scandal of elder abuse in this country. Elder abuse is a serious matter and the Government are to be applauded for funding a study that found that 342,000 people over the age of 66 are the victims of one form or another of abuse: fraud, theft, psychological or emotional abuse, assault, restraint and various other things. The study set some pretty high hurdles before someone could be counted in it as a victim of abuse. It excluded those in care homes, who are now to be included in their own new study, and anyone with dementia. The study's figures must be a conservative estimate of the problem.

To be honest, I would rather we went beyond just catching and punishing abusers. That is important, and the Government have introduced measures that might help us to do that, but we need a system that prevents abuse in the first place. A new adult care reform Bill could place the user and carer clearly at the heart of the system so that they can determine the service provision that they need. Getting the service right will reduce the risk of abuse happening in the first place. In that context, I hope that the Government will give local authorities and the courts the powers necessary to protect vulnerable adults from abuse.

There have been proposals; they have been around for more than a decade. In 1995, the Law Commission said that it had no confidence in the adult protection procedures that existed at that time. However, not a lot has changed since then. The Law Commission proposed that to protect vulnerable adults, social services departments be given powers similar to those to protect children: a duty to investigate; powers for magistrates to issue entry warrants; temporary protection and removal orders; and an offence of obstructing officers acting on behalf of the courts. However, all that was put to one side, and we had the guidance issued in the form of "No Secrets"—worthy words that have not changed hearts and minds or secured the change necessary on the ground.

In 2006, Action on Elder Abuse completed its own study on behalf of the Department, and it found that "No Secrets" was not being taken up consistently across the country. It recommended that in respect of protection, vulnerable adults be placed on a statutory footing equivalent to that for child protection and domestic violence. That was in March 2006. Two years later, in March 2008, there was a welcome, perhaps overdue, Department of Health announcement—of yet another review. It was a review of "No Secrets" and one that may consider legislation.

When Victoria Climbié tragically lost her life because of neglect, abuse and failure in the system, it convulsed the child protection system and galvanised the Government into doing something. It cannot be right that we should have to wait for a similar shock to the adult protection system to achieve long-term, long-overdue reform and action.

In conclusion, the case for a new deal for social care is overwhelming and there are two essential elements for delivering that transformation. The first is dealing with the unfinished business of who pays for care. That must be settled. A partnership model that shares the burden clearly and fairly between the state and the individual is now the best way forward and the only way to secure a lasting consensus. Secondly, the transformation of the system that hon. Members want can come only by giving the users and carers power to drive change themselves. I am thinking not only of policy change but of statute. That means clear legal rights to services through a reform of adult social care law. Those most vulnerable and in need in our society deserve no less; I hope that in their remaining time, the Government do something about those two key challenges.

Several hon. Members *rose*—

Mr. Deputy Speaker (Sir Michael Lord): Order. Before I call the next hon. Member, I should say that the speeches so far have been extremely lengthy, perhaps for good reason. However, the whole House can see how many people are seeking to contribute. If hon. Members make shorter contributions, we can try to get everybody in.

4.33 pm

Dr. Stephen Ladyman (South Thanet) (Lab): I pay tribute to my hon. Friend the Minister for his leadership on this subject. It takes only a short review of his curriculum vitae to see that he has the portfolio towards which his entire career had pointed him. That experience is being put to good use, as he shows real leadership on this subject. I congratulate him on that and on his opening speech.

As far as the opening speech made by the hon. Member for Eddisbury (Mr. O'Brien) is concerned, the least said the better. However, I should like to offer one particular criticism. Like many Conservative speeches, it fell into the trap of using a stereotype of what care is all about. I well remember that when I had the ministerial portfolio on these matters I was constantly having debates with the Conservatives about care homes. They were convinced that we had to take immediate action to keep care homes open around the country even though people did not want to go into them. There were shades of that view in the hon. Gentleman's speech, indicating that they still have not heard that we want to create a new vision for social care.

As for the speech of the hon. Member for Sutton and Cheam (Mr. Burstow), he is right that we had many enjoyable jousts when I was in that job. However, I must take him to task over the arithmetic that underpins the Liberal Democrats' policy. We clearly heard him say that their new policy is to invite the public to pay one sixth of the cost of personal care with the state picking up five sixths of the cost, instead of the entire cost, which was their previous policy. Let us examine that. There are 1.2 million people working in social care at the moment. The wages for 1.2 million people, even if they are on the national minimum wage, must be about £25 billion or £26 billion a year. The state puts £14 billion into the cost of social care, so the private sector, at the most conservative estimate, must be providing £12 billion. The hon. Gentleman's policy is to raise £2 billion from some undisclosed place and invite the public to kick in £2 billion of their own money, after which the missing £10 billion will be magically found from somewhere else. If he had said, "The Liberal Democrats' policy is that we need to kick an extra £10 billion a year into social care", I would have replied, "Well, all right, that is in the right sort of ballpark. With an extra 4p or 5p on income tax, you go away and take that to the public and see how you get on at the next general election." However, they are not going to take that policy to the public, because they know that the sums that they have come up with are profoundly dishonest.

Kelvin Hopkins: My hon. Friend is trying to frighten us with big numbers, as so often in the past. The royal commission suggested that the figures would be far less, even over the next 50 years. Does he accept that such sums are scare figures and in reality are much smaller, and that even if they were at that level, the majority of the population would probably agree to pay for them out of taxation, provided that it was fair?

Dr. Ladyman: First, I would say that the royal commission is entirely wrong. Secondly, the figures that I quoted are today's figures, not tomorrow's figures or made-up figures. There are 1.2 million people working in social care. Their wages, paid for by the public sector and privately, must be in the region of £25 billion. The public sector only kicks in £14 billion. The difference is the cost of personal care made up for by people's personal contributions. If the Liberal Democrats are saying that they are going to pay for that, they must promise to pay for all of it, not some mythical small amount.

My hon. Friend the Member for Luton, North (Kelvin Hopkins) mentioned the royal commission and its idea that social care can somehow carry on over the next 50 years as it is and that we should not let the potential demographic time bomb deflect us. Let us look at those figures. We know for a fact that the number of older people has quadrupled in the past 100 years and doubled in the past 75 years. We know that the number of people over 65—currently 9.3 million—will increase to at least 17 million by the middle of this century. We know that the number of people over 85 will at least quadruple by that time. We know that the number of people with learning disabilities—about 800,000—will increase to 900,000 by 2020—

Mr. Burstow: I am sorry to interrupt the hon. Gentleman as he trots out those important demographic statistics, but may I ask him about his attack on the position of the Liberal Democrats? Our policy is founded in the research and modelling done by the London School of Economics for and on behalf of Derek Wanless in respect of his work for the King's Fund. Is the hon. Gentleman saying that that was complete rubbish and therefore should not be the basis for any policy making?

Dr. Ladyman: The Chancellor has already indicated that he will not use that work as the basis for policy making, and one reason why may be that he shares my concern about the number of people for whom we will have to provide care in the future. In a moment, I shall come to my vision of how we should resolve these issues. I have some proposals to put to the Government, and I do not know whether they will be taken up.

We have to start planning for a transition from where we are today, spending about £10 billion from the public purse on older people's care and another £4 billion on the care of people with disabilities, to the position in 2050. We should be planning not on spending twice as much at that point, but on spending three or four times as much to provide the same level of care as we do today. I agree with my hon. Friend the Member for Luton, North, who I see is shifting in his seat waiting to intervene, that that is not enough. We are not spending enough today, and we have to plan on spending three times more just to stay still, if we are to carry on doing the same thing.

Einstein used to say that madness is continuing to do the same thing and expecting a different result. My argument is that we have to start repositioning social care. We have to think again about what social care will look like in the future, because we cannot plan on the basis of its looking as it does today. Not only do we need a completely different vision of social care and the way in which it will work, we need a completely different vision of how we will pay for it. When the hon. Member for Sutton and Cheam and my hon. Friend the Member for Luton, North, whom I shall give way to in a moment, talk about social care funding, it is clear to me that they are talking about where the money goes to, but in my view they are failing to think about where it comes from. I shall give way to my hon. Friend; I am sure that he will tell me that he would be perfectly prepared to put up income tax to pay for such care. I suspect that our voters would not be.

Kelvin Hopkins: I have asked many of our voters about this issue, and they say that they would be happy for income tax to be raised to pay for care so that they would get it. Why do we not look at the models of Scandinavia, Germany and France? Even today, France and Germany spend 2 per cent. more of GDP on health than we do—£30 billion more on health in British terms. We are miles behind the levels of spending in Germany, France and Scandinavia, and we should be spending at those levels.

Dr. Ladyman: I agree with my hon. Friend that we need to spend more on social care. We are not putting as much into it as we ought to be. All I am saying is that even if we put that right today, and carry on providing social care for the next 50 years in the way in

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which we do now, we will not be able to afford it in 50 years' time. We have to start investing in different ways of providing support for people that will reduce the cost of social care.

My hon. Friend the Member for Kingswood (Roger Berry) touched on some of those ways. Adaptations and telecare have a huge potential to lower the cost of social care by allowing people to be provided with care and support remotely. We should be making significant up-front investment in helping people to implement telecare. We need to be thinking of providing tax breaks to those who are prepared to put such adaptations into their homes, if they want to be self-supporting and they do not already have them.

I have argued passionately for some years that we need a huge expansion of extra-care accommodation; I know that the Department is keen on such accommodation. We need to get that message across to the Department for Communities and Local Government as well. Extra-care accommodation is where people live in their own flat or bungalow in a community in which flexible care packages are available. People go into those communities when they are relatively fit, hale and hearty, and if they have the flu for a couple of weeks in the winter and need a bit of care, a flexible care package is available. If their condition deteriorates as time goes on and they need more care, they can build up their care package. As they are living in a community where many people have different needs, care can be provided in a very cost-effective way. Most of all, it maintains people's independence. When one asks people what two things they want out of the social care system, my constituents reply, "We want to maintain our independence and stay in our own home. We don't want to go into a care home. We understand that some people may have to go into care homes and nursing homes, but we don't want to be those people." The extra-care model provides that independence. People have their own front door and the ability to stay behind it if they wish. In addition, private home owners can lock away some equity in the cost of the home. People want to continue to have some equity and pass it on.

I shall cut my comments short because so many colleagues want to speak, but I encourage my hon. Friend the Under-Secretary to examine some research by the International Longevity Centre. I provide some advice to the UK branch, and a researcher called James Lloyd recently produced some excellent research, which considers inheritance packages in this country. It shows that there is huge expectation among people of a significant inheritance. Approximately 2 per cent. of people a year get a significant inheritance, but many people expect to get an inheritance of tens of thousands of pounds at some time. That does not apply to everybody, but it suggests that more than enough wealth is locked away in personal property for many people to provide for their social care and a comfortable standard of living in their old age, if they can find ways to free up equity that do not put their entire equity at risk but allow them to manage their affairs appropriately. Buying extra-care accommodation is one method of achieving that.

Another method of unlocking some of the equity and putting it into social care that the International Longevity Centre recommends is a social insurance model. That encourages those who can do so to make a lump sum payment into a social insurance model at the age of 65. The money will provide the billions needed to provide free social care to all those who contribute to the model for the rest of their lives. It would provide the sums of money that the hon. Member for Sutton and Cheam needs to seek and the free personal care that people need. It would share the burden between everybody who reached that age. Existing state funds could then be used for those who do not have the equity or the means to contribute to the social insurance fund. Those are not the only ideas that we should consider, but I believe that they should be given some thought in the consultation on which we are about to embark.

Kelvin Hopkins: I have asked many people whether they would prefer to put at risk their small amount of equity in granny's family home or pay slightly higher taxes. Without exception, everyone said that they would much prefer paying a slightly higher rate of tax to putting the small amount of equity at risk.

Dr. Ladyman: I take my hon. Friend's comments at face value—I am sure that his constituents say that. However, my constituents do not say it to me; perhaps we have very different constituents. I also stress to him that I have not proposed models that put equity at risk. In both models—extra-care, whereby people buy into care communities, perhaps with some sort of tax incentive from the Government, and social insurance, whereby people use some of their equity at the age of 65—the remaining equity would be protected. Their inheritance to their kids would be protected if that is what they want. The rest of us would not be faced with a demographic time bomb and potentially huge increases in income tax to pay for such care. Perhaps my hon. Friend would like to propose his idea of paying for all that through extra income tax. I am perfectly happy for that to be on the table, but we should consider the full cost, not the Liberal Democrats' mythical £2 billion. We should consider the full £10 billion or £15 billion and then see whether people are prepared to pay the hike in income tax that would be needed to cover it.

Paul Holmes: If the hon. Gentleman's constituents are not willing, as other people are, including in my constituency, to pay the extra income tax needed to provide coverage across the board for everybody, can he clarify why they would be willing to put their equity into a care community or social insurance, knowing that everybody who was not doing so would be paid for by the taxpayer? Why are people not willing to pay through taxation, but happy to use the system that the hon. Gentleman describes?

Dr. Ladyman: Because of the standard of care that people will receive, as they will be able to maintain their independence in a way that might otherwise not be possible and because the Government might encourage them through income tax breaks, since that system would be more profitable for the Government than relying on income tax. The hon. Member for Sutton and Cheam has been telling his constituents that they can have free personal care for only £2 billion, which is about 0.5p on income tax. I am sure that we would all pay 0.5p on income tax for free personal care. However, the cost will not be 0.5p on income tax; it will be 4p or 5p, and our constituents will not stand that.

Let us have a sensible debate about the future of social care. Most of all, let us ensure that we are aiming for a vision of social care that allows people their freedom and independence, and achieves the generally higher quality of care that we shall all be looking for when we reach that age.

4.51 pm

Sir George Young (North-West Hampshire) (Con): It is a pleasure to follow the hon. Member for South Thanet (Dr. Ladyman). He was the architect of some of the reforms that we have debated this afternoon and has made a plausible bid to get his job back by sharing with us his vision of social services in the future. I hope that he will excuse me if I do not follow him down the same path.

The only point that I want to pick up from previous speakers is that which the hon. Member for Kingswood (Roger Berry) made, quite rightly, about the lack of portability of social care packages. It is not just local authorities that do not provide portability; it is the national health service. We can move from one GP to another and find a totally different prescribing philosophy or find that a new primary care trust has a totally different approach to IVF, for example. The hon. Gentleman put his finger on the problem, but it is much broader than he described.

I want to focus on one aspect of social care, namely the move to self-directed support in social services, which is the most radical and exciting change currently taking place in social policy. Before I talk about that, however, I want to say a word about two carers organisations in my constituency.

My hon. Friend the Member for Eddisbury (Mr. O'Brien), in a powerful speech, mentioned young carers. Growing up nowadays is difficult enough, but it is even more difficult if, at the same time, a young person has to care for a parent or sibling. I pay tribute to the work of the Andover young carers project, which cares for about 150 children between the ages of eight and 17 by providing somewhere to meet, homework clubs, support groups in school, short trips and holidays. The project is a lifeline for vulnerable families and enables them to function effectively. The other organisation is the Princess Royal Trust for Carers. I am sure that other hon. Members have branches in their constituencies and that, like me, they will be launching carers week in their constituencies next week.

We have made enormous progress in enabling people who work to care at the same time, by developing flexible working. We now need to make similar progress in enabling people who care also to work, in order to achieve their goals and raise their incomes. Both the organisations that I have mentioned survive on a shoestring, and I am sure that that is the same for many voluntary organisations in other constituencies.

I want to talk about personal directed support—the move from an inflexible, institutionalised response to personal care needs, individual budgets and personalised care or self-directed support. Personal directed support is a much more user-friendly response to social care, which, as the Minister said, means that people will have a life, rather than a set of services, which often entrench further dependency on the local authority.

Hampshire county council, which is a progressive authority led by Ken Thornber, with Nick Georgiou as director of adult services, has set up a commission to take the policy forward. Serving on that commission is this year's president of the Association of Directors of Social Services, a local authority chief executive, leading academics and representatives of the voluntary sector. I sit on the commission as a humble observer.

I want to make three points about the change to personal directed support. First—the Minister touched on this—there is a parallel between the debate about personal directed support and a similar debate that took place 30 years ago, when I was the doing the job that the Minister is now doing. At that time, we had large numbers of elderly people in long-stay geriatric wards in hospitals and even more people in mental hospitals with learning difficulties, or mental handicap as it was then called. Most of them did not need to be there and did not want to be there. They were disfranchised and institutionalised; they were not in charge and they could not choose what to do. So, we moved to a new policy—care in the community—that enabled people to become de-institutionalised and to lead as normal a life as possible in the community. We hear the same kind of language today about the need to move away from today's institutions—adult training centres and residential care, for example—to other forms of personal support.

At this point, I need to mention the Treasury. The Minister was briefly a Treasury Minister. When the debate on care in the community was going on, the Treasury's interest was aroused. It saw enormous savings; pound signs flashed before its eyes as the mental hospitals were closed, the land was sold off, and the public sector employees in hospitals and mental hospitals were dispensed with; informal and "cheaper" care in the community was just round the corner.

The policy was never going to save any money. The reason for introducing it was not to save money; it was done because it was the right thing to do. Moving away from large-scale institutional provision to more tailor-made individual provision is likely to cost more. In the short term, it will certainly cost more, because of the need to keep two systems going in parallel. We had to develop the services in the community before we could close the mental hospitals. I think that the same will be true of the move to personal directed services. It will not save money if it is done properly.

I think that it was the university of Lancaster that carried out some research on this subject, which showed that less can be spent on individual budgets than on local authority-provided services. However, part of the reason for moving over to a new regime is to intervene earlier and to help all those people who are not being helped at the moment. I think that my hon. Friend the Member for Eddisbury mentioned CSCI—other hon. Members certainly have—which has criticised the tightening of the eligibility criteria. Many people with substantial needs—let alone those with low levels of need—do not get any help at all at the moment. This is before we even start to consider introducing the Wanless model, in which everyone gets something for nothing, and which must cost more. The lesson of history is that these types of social reform will not save

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public money and that, if we are to achieve the goals and unlock the potential, they will actually cost more.

My second point might help to solve the first one. Other potential sources of funds could go into individual budgets besides what is being spent by adult services. The primary care trusts, for example, might be able to put some money into the kitty. As the hon. Member for Sutton and Cheam (Mr. Burstow) said, the trusts have had much more generous settlements over recent years than social services. Other local authority departments, such as adult education, could chip in. The potential pool to be spent is therefore bigger than the one currently being spent by adult services. Indeed, one could argue that disability benefits should also go into the pot. If the aim of a disability benefit is to enable someone to overcome their disability, should it not form part of the pot of personally directed support?

My final point on personalisation, or self-directed support—

Dr. Ladyman: Will the right hon. Gentleman give way?

Sir George Young: Very briefly.

Dr. Ladyman: The right hon. Gentleman is making an excellent speech, and I am enjoying it very much. I agree with an awful lot of what he is saying. May I encourage him to look at a 10 Downing street strategy document that was produced about two years ago, which covered personalised budgets? It included the recommendation that we should indeed investigate taking money from all those sources and putting it into people's personal budgets.

Sir George Young: Indeed. The point that I was about to make was even broader: personalisation need not be confined to social services. We could apply it to education, and to higher education. Indeed, once the personalisation genie has been let out of the bottle, where do we stop? We almost reach the point of education vouchers if we go down the path of personal budgets or individual budgets for personal care.

Finally, I want briefly to touch on the implications of the new policy. There are obviously going to be implications for social services departments. At the moment, they are the funder, the advocate and the supplier. They provide all three functions. Once we move to personally directed support, they will be the funder, but they will not be the advocate and they will probably not be the supplier. This will have enormous implications for the structure of the departments, and they will have to make absolutely certain that independent advocacy services are available. It is not true to say that older people do not want choice, but it is true that most of them do not want the hassle of navigating the care system without easily accessible advice and support. At the moment, sadly, information and advice services are exactly those that are being cut back, and that needs to be addressed if the roll-out of self-directed support is to be feasible.

The supply side of personal social services must respond. There will be a whole new market as individual buyers try to invest in particular packages of care to meet their needs and a whole new infrastructure will have to be created to respond to the change in the market as resources are shifted from institutional provision to more individualised provision. There will be fewer block contracts, much more transparency on costs and, crucially, a need for more trained providers who can provide the individual packages that people want. That has implications for those working in the adult training centres and in residential care. All the pilot studies of those local authorities that have gone down that path show that there is reduced demand for that type of provision. On the commission that Hampshire has set up, which I mentioned, we have already heard the concerns of those who work in social service departments, thinking that their jobs are threatened or are at best going to change.

Related to that is the viability of the traditional services as some people opt out and it becomes uneconomic to keep the adult training centres going. That has happened in, I think, Oldham, which makes the case for a gradual phasing in of the new regime and retraining those whose jobs may go. Then there are some people who may choose not to choose—people who prefer to stay in a comfortable institutional setting—and we need to look after them.

There is the issue of risk. How do we reconcile the right of the individual to determine how he or she spends his individual budget with the obligation of a local authority to ensure that public money is wisely spent and to discharge its responsibility to look after vulnerable people. Risks were taken with care in the community. Some of them were unacceptable, and people were discharged who should not have been. The risks with personal directed support are different—that the resources will be misapplied or inappropriate services might be bought. Safeguards exist—the local authority will have to validate the plan before it can be implemented—but the fact that there is an element of risk is not a reason for holding back. What I find unacceptable is what is done at the moment in the name of risk avoidance—the curtailment of activity, particularly by elderly people in residential care, some of whom are sent to bed under sedation because of inadequate supervision in the communal lounge.

Any new system must be simple and easy to access. One reason why so few people have accepted direct payments—I think only 5.4 per cent. of those eligible have accepted them—is because of the paperwork. We have to make it absolutely clear that local authorities or the advocate can handle the paperwork once the individual has decided on the package.

A point made by other hon. Members is that the new regime must reach out to everybody who needs help, not just current users. One of the problems of the current regime is that the self-funders are left struggling while those who are eligible get a decent service.

Some real issues arise for carers. Can the funds in the budget be used to pay for what the carer does at the moment for nothing? Can they be used to help them remain in work and carry out other responsibilities? Can they be extended to help them and pay them beyond retirement age?

My final point is about resources. The issue of calibration is crucial: how much money do we allocate to individual budgets? There is a risk of getting the whole policy wrong if we make unrealistic provision for it and for the budgets, with people then finding that they get less support. At the moment, we can send someone to an adult training centre for three days. There is no transparency on costs and the cost is irrelevant to the individual. With personal directed support, the costs are of enormous importance and are very transparent. The experience with direct payments is that in some cases the sum allocated has been wholly inadequate to purchase the care that was needed, perhaps explaining why take-up is low. The policy will have to be adequately resourced, not least if we are to help more people and intervene earlier.

I make the point, which I have made to the Minister in other debates, that we need a step change in how social services are funded. I have expressed disappointment in earlier debates at the recent three-year settlement, which has left social service departments severely squeezed. The Treasury has got to be at the table if the policy is to fly. The new policy provides real, challenging opportunities. The challenge is to find the necessary resources, but we have an opportunity to make a real difference to the social care system—to come up with a system that is fairer, is seen to be fair, is more accessible, and makes a difference to everyone's life. I hope that all Members can rally behind that objective.

5.5 pm

Barbara Keeley (Worsley) (Lab): I have been involved in social care issues for some 13 years, first as a council executive member and later when researching health and social care issues with national carer charities. I believe that social care is in a more prominent position now than at any other time during those 13 years. Even during my time in the House, it has risen on the political agenda. The demographic changes that we have discussed today are a big reason for that, but the Government's commitment to the agenda is a key element as well.

The Prime Minister has placed social care and carers high on the agenda, but I also commend the personal commitment of the Under-Secretary of State for Health, my hon. Friend the Member for Bury, South (Mr. Lewis), who has won wide recognition among stakeholder organisations for the determined way in which he has driven social care issues to prominence. At a recent consultation event, he said that we should be judged by our actions and not our words in our commitment to social care. I look forward to seeing plenty of action to improve social care services in the coming months and years.

As next week is carers week, I shall focus on carers in my speech. One of the aims of carers week is to reach out to hidden carers and ensure that they know where to find help and support. Once they have been identified, they can gain access to the services that are available to them. As a result of recent policy developments, the number of such services has increased. Carers are to receive pension credits in recognition of their caring work, more money has been allocated for emergency respite care, and new information and help services are planned. That support and recognition is crucial to carers, as all the consultations for the strategy review have shown. However, we cannot avoid the fact that we cannot support carers better until we identify them more thoroughly.

In my constituency and across the country, there are to be many events to mark carers week. I congratulate all who do such work. One event, at St George's high school in Walkden, aims to raise awareness of the most vulnerable group—young carers. A study by the charity Barnardo's found that 91 per cent. of teachers feared that young carers were falling through the net, and about three quarters of them thought that pupils were hiding the reality of their circumstances from friends and teachers alike.

The teachers felt that it should be the responsibility of GPs and families rather than schools to identify young carers, but I think it important that schools and local authority children's services take some responsibility for them. Teachers can develop an understanding of the burden felt by young carers, protect them from bullying, and support them if they fall behind in their work. I pay tribute to young carers projects such as the one run by the Princess Royal Trust Salford Carers Centre, which is working with St George's high school.

On Friday next week I shall attend an event at Hope hospital, Salford, supporting the Salford carers centre's efforts to make contact with hidden carers. I attended the same event last year, when we handed information keys to people as they passed our stand. I was amazed to discover how little recognition there was among even hospital staff that their role in caring for family members meant that they were really carers themselves. I discussed that with one person who questioned whether she was a carer, and whether the information applied to her. Clearly, she was. Although the hospital has a carer support worker on its staff, the message had not reached the staff that help and support were available and that their own organisation was in a position to help them, for example, by allowing them time off to attend medical appointments with those whom they looked after.

That is a typical example of the problems involved in this issue. As Members of Parliament, we state that there are 6 million carers, but we do not think about how many of them we are not reaching, helping and supporting. Those people think of themselves as daughters, sons, husbands and wives but not as carers, and even in political discourse the word "carer" is often used to describe paid care staff.

I discovered recently that the problem is often even greater among black and ethnic minority communities. At a national conference of carers from those communities, it was emphasised that language and cultural differences increased their problems. One carer said that in his language there was no word to describe schizophrenia. He cared for a son with the condition, but he could not describe it to others in his own language.

On two occasions I have introduced 10-minute Bills which would give health bodies a duty to identify carers and then require them to be referred to sources of help and support. Identification of carers should result from an holistic view of the patient and their family. Opposition Front Benchers have expressed a similar view—that we must move toward that more holistic approach. If the patient needs substantial care and support, GPs should be looking around and

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asking who is providing it and how they, as health care professionals, can support the person providing the care.

The need for GPs to identify patients who are carers and patients who have a carer was first stated by the Government nine years ago, in the first national carers strategy. The five-point checklist given to GPs in that strategy suggested, for example, that they check carers' physical and emotional health at least once a year, that they tell them that they can have an assessment, and that they help them to find local support groups or carers' centres. Clearly, that does happen—Members may be aware from their own surgeries of carers who know that such help is available—but even though my constituency has a wonderful carers centre, many of the people who come to me do not know about the help and care available to them.

The GP contracts established in 2004 appeared to offer an ideal opportunity to ensure that GPs undertook the work of identifying carers, but out of a maximum of 1,050 "points" available in the contracts for the quality of GP services, only three relate to identifying carers. In my view, that gives insufficient incentive to GPs to undertake what is becoming a vital task. I hope that the updated carers strategy and developments based on it in the months and years to come will ensure that we take on the vital task of identifying carers, making it something that GPs must commit to contractually, rather than just optional. Because the contractual reward is so small, many GPs simply have not bothered with it. We talk about personalisation, but as there is very much more for a family and a carer to take on board, knowing at the right point of diagnosis where all the care and support can be found is vital.

The "case for change" document asked which is more important: local flexibility or national consistency? It is crucial that we reach a consensus now on the balance between local decision making and ensuring a basic national entitlement to care. I believe that local decision making is important in many service areas, but, as other hon. Members have said, we have moved to a point where there are unacceptable differences between the level of social care services offered by local authorities and the continuing care services offered by various local NHS bodies.

Let me give an example of decisions on the eligibility of patients for continuing care, which can be crucial. A constituent of mine, Mrs. Reade, desperately wanted to care for her husband at home when he was diagnosed as terminally ill with an aggressive form of motor neurone disease. His final weeks of life ran across Christmas and new year. The Ashton, Leigh and Wigan primary care trust turned down the request for continuing care because there were so many delays in reaching a decision, mainly caused by staff absences during the holiday weeks. The absence of a social worker in the hospital proved crucial to things going wrong there. Sadly, the letter conveying this decision to Mrs. Reade, which was written in very difficult, technical language, arrived just days after her husband had died in hospital. We can and must do better than that.

Because I have two local authorities in my constituency, there is different provision for those of my constituents with moderate and substantial need; the services vary, depending on which council area they live in. I hope that the CSCI review of eligibility criteria helps to iron out those differences.

Many speakers today have touched on the need to recognise that service development is being pursued at different rates. Telecare, which I see as vital, has been used to great effect in some regions of the UK, such as West Lothian, and in some authorities—Oldham has been mentioned—but other authorities are not pursuing the new technologies at the rate that they should. I am very pleased that the Department of Health has announced the piloting of telecare and the £31 million investment to ensure testing on a large scale, but following the pilot, it will not be acceptable if some areas are allowed to lag behind in providing services involving telecare. My belief is that we have to accept the principle that people are entitled to equal care wherever they live.

In conclusion, I commend the progress made by the Government in developing support for carers and greater choice and flexibility, in recognising the need to regulate and develop skills in the social care work force, and in the recent and earlier developments in telecare. As we set out on a path towards that new care and support system, which I am sure all hon. Members want, I hope that we can embrace the two developments that I have discussed. First, we must ensure that GPs and primary care staff identify carers, because there is no way that they will obtain the advice and support they need if the primary care people do not do that. Secondly, we must ensure that local decision making does not get in the way of offering decent minimum standards of both social care and continuing care.

5.15 pm

Jeremy Wright (Rugby and Kenilworth) (Con): I am pleased to follow the hon. Member for Worsley (Barbara Keeley), whose commitment to and enthusiasm for carers' issues I recognise and entirely share. The debate has made yet clearer the scale of the challenge we face in constructing a social care system that is adequate and decent, and that covers to a good standard those whom it needs to cover. It is right that funding plays a large part in that, and we have talked a little about how that funding might be found. It has also been sensibly said that we first have to decide what kind of system we wish to fund, and I wish to discuss that initially.

I agree entirely with the hon. Lady and with others that it is too easy to talk only about the challenges that we face and not enough about the opportunities that the development of modern technology has presented to us—telecare is one of those. It is hugely encouraging and exciting that we can now examine ways of providing people with the reassurance that they and their families wish to have, while preserving their independence and their dignity, as the Minister mentioned, with a form of care that is not intrusive, but which works well for them. Those aspects of telecare give us some reason to be cheerful.

Of course, we face a number of problems and we cannot ignore them. Some operate at a very high level, being widespread and difficult to resolve, whereas others operate at a very small, personal level. I shall identify one such problem that will be familiar to all hon. Members who speak regularly to carers. In any system that involves people supplying care from social services departments or elsewhere, we should find a way of ensuring that as often as possible it is the same individual who turns up at a person's door, because one difficulty we face is that often a different individual rings the doorbell each time. That means that it is difficult for a good relationship to be built up with the person who is being cared for. It also means that it is more difficult for anybody living at the house—perhaps a permanent, so-called, informal carer—to say, "If they're five minutes late, I'll leave the door open", or "I feel happy to go out and have them in the house when I'm not there." These minor, personal issues have a huge effect on the quality of care provided and on the overall experience.

It has been said—this point goes back to the macro level—that one of the major issues is the system's complexity. There is no doubt that those who have not previously experienced it are befuddled by how someone goes about finding the care they need, and where they go for the help they want. As has been mentioned, one of the places people often end up looking for that help is the voluntary sector. It does tremendous work in this area, on which we should congratulate it, and I am sure that there are ways we can support the sector further. I heard what the Minister had to say about that, and it is encouraging.

We can perhaps be more imaginative still, by finding other ways of providing that assistance, support and guidance in other scenarios and circumstances with which people who use such things are familiar. We have spent a good deal of time in other debates in this House trying to think of ways of supporting the rural sub-post office network; we have tried to think of things that we can allow sub-postmasters and sub-postmistresses to do that will give them a ready supply of income. Providing this sort of advice on how to find the right social services and how to gain access to these networks is something that rural sub-postmasters and sub-postmistresses and, indeed urban sub-postmasters and sub-postmistresses, could do very effectively. That is because of the relationship of trust that they have already built up with the sort of people who are likely to be the main customers for social services, in addition to being regular customers in their local post offices. I hope that we can also explore that.

Much of the complexity and many of the problems arise from the relationship, or lack thereof, between the health care sector and the social services sector. The Minister described it as a Berlin wall, but in many ways it is more like the Grand canyon. There is a gap between health and social services into which too many people regrettably fall. To give just one example, there is the game of pass the parcel between health and social services when someone who is in receipt of social services support is admitted to hospital—perhaps a rehabilitation hospital for a short time to get them back on their feet.

That seems to be a signal to social services that the person should no longer have any action taken on their file, which is put into a drawer. The person is now a health service responsibility, and no further work will be done on that file unless or until the person comes back to the front door of social services. That is regrettable, if we are serious about the sort of joined-up working that phrases such as "multidisciplinary teams" suggest should already be happening. I hear that phrase all the time, but I do not see much evidence of it taking place. It is common ground that we need more joined-up thinking, but the problem applies to cases in which assessments have been made and when short stays in hospital break up what was previously a reasonably effective social services provision.

It is impossible to ignore the economics in the context of this debate. The problem arises from the dysfunctional relationship between health and social services over exactly what is classed as a health need and what is classed as social care need. I make no apologies—nor would the Minister expect me to do so—for raising again the issue of dementia. As the hon. Member for Kingswood (Roger Berry) made clear, dementia is a classic example of the problem. As those with dementia find it progressively more difficult to feed themselves and to deal with other care needs, those needs are assessed not as health needs but as social care needs, resulting in a contribution being necessary—where appropriate—from the individual or their family. They regard that as bitterly unfair, and I am sure that the House can understand why that is. People with dementia and their families are by no means the only ones in that position, so any system we develop must find a fair way to identify needs. It is accepted that some contribution will be needed in the appropriate cases, but we need a way of distinguishing which those cases are, without trying to pretend that what arises from a medical condition does not in fact do so. That is an issue that we must consider.

Dementia will have a much wider impact on the social care system—either the existing system or one that we will construct in the future. The Minister knows the figures: 700,000 people have dementia now, and that will rise to well over 1 million in less than 20 years. Those people will put extra pressure on the care home sector and on the care delivered in the community. The Minister knows, because we have had this conversation, of my strong view that we should have mandatory training for those who work in the care home sector who will inevitably deal more and more with people with dementia. That argument applies equally to those who provide social care to the two thirds of people with dementia who live in the community. The care providers must understand the condition and the symptoms it presents.

The hon. Member for Worsley mentioned what is sometimes referred to as "informal care", which forms a substantial part of the care provided. I personally do not like the term, as it suggests care that is casual or sporadic, whereas in most cases it is neither. In fact, it involves people sacrificing their own lifestyles for the benefit of the lifestyle of another. People prepared to do that deserve the greatest possible consideration in any debate on the future of social care.

Nor can we ignore the economics of the issue. It is correct that we will face a huge funding shortfall if we continue to provide only the level of support that is currently provided. The hon. Member for South Thanet (Dr. Ladyman) was probably right to say that

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the current figures are an underestimate, but the Government predict a £6 billion shortfall over the next 20 years.

According to Carers UK's last assessment, carers save the state some £87 billion through the work that they do. It does not take much more advanced mathematics than even I can manage to work out that if those carers, for whatever reason, were unable to do even 10 per cent. of what they now do, we could swiftly more than double the deficit. Of course we have to think about ways to solve the financial crisis facing social care, but if nothing else we should not make it worse. That means ensuring that whatever we do, we support carers in all that they provide to the system and make life as easy as we possibly can.

I want to focus briefly on a minor subset of the people whom the hon. Member for Worsley described. Some 1.5 million of the 6 million carers are over 60 years of age, and I suspect that that proportion will only increase over time. Those people face particular challenges. It seems remarkable, looking at the figures, that 8,000 carers are over 90. How those people manage is completely beyond me. It shows that a large number of people who have considerable problems of their own are carrying out the functions of a carer.

As I say, the phenomenon will only grow because families will become yet more far-flung as time passes. There will be less support from other members of the family and spouses will often be the carer. Given that those being cared for are predominantly elderly, their spouses will be, too, and, because of increasing life expectancy, a carer might be a son or daughter of pension age. We have to think about the particular requirements of those people, which are obvious in many ways. The more elderly are more likely to fall victim to illness, and we know already that carers are more vulnerable to illness. We know that the physical requirements of moving someone around get more difficult the older the carer gets.

Some of the problems that face all carers face older carers more dynamically. I shall focus on two of those. First, respite care has already been mentioned and it is crucial to all carers, but one tends to find that the older generation are less willing to ask for respite even though they are more in need of it. The second problem is the relationship between carers and social services departments. That seems to me to be a major structural problem.

Among carers of all ages, there is the constant refrain, "We are not listened to. We are not respected. We are patronised and talked down to and we know the people whom we care for much better than social services do." There has to be a better relationship between carers and social services departments to ensure that carers remain keen and enthusiastic to do what they do against all the barriers to their doing so, which will always exist. Any programme to deal with social care must address that problem.

We need to talk about funding and social services departments but, as the hon. Member for Worsley said, we must never forget the substantial portion of care that is provided by those who do it voluntarily, and who do it very well.

5.28 pm

Mr. David Kidney (Stafford) (Lab): I want to add my praise to the Minister for the policies and spending programmes that he has been responsible for introducing as he described. I also praise him for bringing the Government to the position that they are in, with the beginning of the consultation that we have debated today.

We are coming to the end of the welfare state mark 1, which was designed by William Beveridge. I have always been slightly curious about the life of William Beveridge because for all my childhood I lived in a house in Beveridge close in Stoke-on-Trent. I always wanted to know why the street was named after him. It is tremendously to the credit of our predecessors, the politicians of 1941, that, in the depth of a dangerous war when the survival of our democracy was in the balance, they appointed William Beveridge to design the state of Britain that we would hope for when the war was won. The welfare state that was then implemented by the 1945 Government—the national health service, social security and the philosophy of support for every citizen from cradle to grave—has stood us in good stead until now, but the faults and strains of 60 years of pressure have been well described.

We have reached the stage where we need to design the welfare state mark 2, which must take account of the complex health and social care needs of many more older people than it did in the past. As my hon. Friend the Minister said, that involves an adult care system for many people other than old people; it is for all those who are disabled, those with learning difficulties, those with autism and carers.

I am pleased that so many hon. Members mentioned young carers. Although we have been talking about adult care, youngsters often care for adult family members and we must ask to what extent the pressure is on them to provide that care because of failings in the social care system. As adults, we must ask what is our responsibility and why we deprive youngsters of their childhoods, as they take on those grown-up responsibilities of caring for adults.

I hope that, in the consultation, we will design a system that can cope with all the new pressures and demands and be affordable. The Government are right to start with a fairly open consultation, with not very many constraints and restrictions, because there are big questions to answer about what we want in the system, how much it will cost and precisely what the public are prepared to pay through their taxes and through their personal expenditure from their own pockets, as they contribute to the debate during the six months of consultation.

I want to spend the very short time that I have to contribute to the debate in describing an event that I jointly hosted at Stafford with Staffordshire university a few months ago, before the consultation began. We set ourselves the objective of contributing to the national debate, while anticipating changes in future national policy and starting immediately to implement them locally in Staffordshire. Our audience involved three Departments, the Association of British Insurers and other insurance representatives from the national scene. We had regional representation from the health, social care and voluntary sectors, as well as the main players from the local providers of health care, social care and voluntary services.

We came up with five things that we thought it important to adopt in the policy. First, a conceptual change is required to assist an ageing society. We thought that universal provision must be taken as a prerequisite if we live in a fair and equitable society. Alongside that, we need a speedy integration of health and social care. It is important to invest in prevention as a high priority, echoing the King's Fund report "Paying the Price". We recognise that a significant debate is required on the balance between state responsibility, individual responsibility and family responsibility.

The second thing was the future work force. We need a work force who are both flexible and fit for the future. Work force projection and planning require more sophistication for the future. Although we now see a slow movement from secondary to primary care health provision, the move of mental health services into primary care advances at a much slower pace.

The third thing that we talked about was financing and communicating systemic change. A viable, fair and equitable system will cost more than the present one, but insurance alternatives need to be explored. A pooled finance system might help, by utilising state and individual components, and pass the equity test.

The fourth thing was intergenerational support. How do we persuade young people to start to think about old age and to plan for later life? What are the incentives for them to do so? Although the dignity in care agenda has started work on valuing older people, much more is still to be done.

The fifth thing that we wanted to talk about was the future focus of the system. Prevention must become a key priority alongside incentivising the health agenda, not the illness agenda. Technology needs the development that many hon. Members have commented on already today. They are the five points that we wanted to project. We want to move on to develop our services locally, anticipating what we think will be the national decision.

Before concluding, I want to tell my hon. Friend the Minister that Staffordshire university was a great help to me. It has a centre for ageing and mental health, and it wants to contribute to the debate. I would offer its help, with its agreement, to my hon. Friend in any way that he wants, perhaps by hosting events, running panels to contribute to the debate and advising the Department of Health if it wants it. On the same basis, I want to offer my assistance, as a Member of Parliament, in the consultation, and suggest that other MPs want to do the same. We are a very good resource for collecting the views of our constituents, and for explaining to people that the consultation is taking place and how important it is. If necessary, we can host events ourselves to contribute to the debate over the next six months.

There is so much more that I wanted to say, but there is not time to do so. I want to point out, as many people have done, the importance in any future care system of quality, the dignity of the individuals being cared for, and their protection from abuse. My last point takes the Minister on to a slightly different agenda. In the Queen's Speech in the autumn, there will probably be a Bill on equality. One of the burning issues is whether there will be a full-blown outlawing of age discrimination in the Bill. Given all that we have heard in today's debate, I urge the Minister to do his very best to make sure that the Bill outlaws age discrimination.

5.35 pm

Paul Holmes (Chesterfield) (LD): Like the previous speaker, I will cut short some of my comments, because we want to make sure that everybody can contribute before the end of the debate.

I will be fairly brief on the funding issue, which has had quite a good airing. We have already established that provision of care in all areas is underfunded, and the situation will get a lot worse. We have an ageing population demographic, people are living longer as a result of more prosperity and better health services, and not only are more disabled people being born, but they are living quite long and fruitful lives when they would not have done so 30 or 40 years ago, due to the sort of policies and medical capabilities that there were in those days.

Somewhere, someone will have to pay for the care that is needed. That can be done through general taxation, which is mutual insurance paid for according to ability, hopefully, although the Government's tax policies penalise the poor more than the wealthy. The other way is to follow the extreme USA example, in which the emphasis is on the individual being responsible. If the individual has not earned or saved very much, for whatever reason, that is tough. About five years ago, I was in Lincoln, Nebraska. Those of us visiting met a voluntary group that gave us a fantastic explanation of how it helped elderly people to access support, care and so on when they needed it. There came a point when we suddenly realised that all that it did was advise elderly people on how to spend whatever money, personal insurance or benefits they had got for themselves. There was no state aid, effectively. I hope that we do not move towards that extreme in the coming years.

The Conservative and Labour Back-Bench spokesmen, but not my party's spokesman, have today suggested that we cannot possibly consider taxation. They say, "We will not put forward any suggestions involving that side of things, because that would cost money and upset voters." One way or another, we have to pay if we are to provide the decent society that various Members have talked about this afternoon. The money has to come from somewhere. It can come from a mix of taxation and payments; otherwise, there are the extremes: it could all come from taxation, or we could take the USA approach, which leaves one in five Americans with no medical cover at all. When they reach old age or have a disability, it is even worse.

We need to bite the bullet and be honest, especially given that we have only just reached the average level of western European taxation. We are not a highly taxed nation, contrary to what everybody on the street will tell you, if you ask them. I even read one analysis this morning suggesting that tax levels are lower than when the Conservative Government left office. I have checked the figures, so I know that we have just reached average levels of western European taxation. On health and education, which have had money poured into

[Paul Holmes]

them, the average western European levels of investment has just been reached. We should not sell the pass completely and just say, "We are an incredibly highly taxed nation; we cannot afford to provide decent pensions, care, support and so on." However, I shall not go into huge detail on that point.

Every MP has many examples brought to them by constituents. We have heard some today that illustrate the need for more and better targeted care services and care funding. One MP pointed out that he has two parents who are suffering from dementia. Many of us will have that experience in our families. Ten years ago, my father died with Alzheimer's. Last summer, my mother-in-law died with aggressive dementia as a result of multi-infarct. A few weeks ago, my mother died with Alzheimer's at 82. As so many others in the Chamber have done or will do, I have gone through all those problems that constituents bring us about ageing parents who physically need more help at home, and then start to lose their mental faculties. They may consider doing what we did: we moved my mother-in-law into our dining room and made it into a bedsit, and tried to cope in that way. As the dementia got worse, it became impossible. She needed 24-hour care. When one looks for care homes, all the issues of selling property, funding and payment arise. One way or another we will all go through that with members of our family, or ourselves, with our children going through it for us. The problem is widespread and we all have those experiences.

There are further examples that constituents have brought to me. One of them is early onset Alzheimer's. Terry Pratchett, who was recently diagnosed with early onset Alzheimer's, is a famous example. One constituent came to me five years ago and the problem has still not been solved. Her husband in his early 40s was diagnosed with early onset Alzheimer's, which is quite rare at that age. As a result, no care home within decent travel distance was suitable. Although at 40 or 42 he had Alzheimer's, he knew when he looked around the care home full of old-age pensioners that there was something wrong—that was not his generation of people.

My constituent's husband ended up in a care home some miles up the motorway, up past Rotherham, with his wife trying to travel back and forth every day to visit him. We had round table meetings with all the medical professionals and social services. We all agreed that it was an immense problem, and five years later we have still not solved it. That will become more common as we get better at diagnosing conditions such as early onset Alzheimer's.

Respite care has been mentioned, so I will not go into detail about it. We can all think of constituents with autistic children. We have had examples of elderly people looking after elderly parents, where both sets are old-age pensioners. I can think of at least three sets of constituents where the old-age pensioner has been looking after a disabled child who is now an adult—pensioners who need care and respite themselves, but who have 30 or 40-year-old adult children living with them. One, for example, was born with mental disability and was blind, and is still living with his elderly pensioner mother. She is approaching 80 and he is 30 or 40-odd. Such cases are becoming more common and need support and funding.

The entire year's budget for Derbyshire for disability adaptations to housing could be spent in the first three months of each financial year clearing the previous year's backlog. That would leave not a penny for anybody who applied for a disability adaptation to a house in the current year. That is an ongoing problem and I am sure it is not specific to Derbyshire. Other Members must have come across it as well.

Some hon. Members have mentioned direct payments, usually with great enthusiasm. We all welcome direct payments. They are excellent in intent and in effect for the vast majority of people who access them. Some people want them to be spread into some areas of NHS funding and support, for example, but how good is the guidance and support given to people who access direct spending?

What happens for people who access direct payment and become a small employer for the first time in their life, perhaps when they are a vulnerable adult? What will happen, for example, to a 73-year-old man who becomes blind virtually overnight, and at the age of 74 takes on direct payment and becomes a direct employer? First, he has carers through care agencies, but as one hon. Member commented, people do not like that. They have lots of different care workers coming in and they are never sure who is coming each day. In the example to which I refer, the man became a direct employer of one care worker, which worked well for a while.

What happens if the person falls foul of employment law and ends up facing thousands of pounds of legal fees and compensation—about £20,000 in all, for a 79-year-old constituent who is blind? How do we avoid that happening? How widespread is that? I hope the Minister may be able to comment or write to me. I shall send him details of the constituent in question.

Derbyshire country council might give me a substantive reply on the matter fairly soon. I wrote a month ago and asked some specific questions. I asked the council to provide me with hard copies of the documentation on being an employer that it provided to clients like my constituent five years ago, clearly indicating where it emphasised the legal obligations that direct payment would entail, and the guidance and training that it gave on the requirements of employment law. I understand that the situation was pretty chaotic five years ago and that Derbyshire county council undertook a massive rewrite of the procedures for that reason.

In the council's latest newsletter to clients using direct payments, which came out only a few weeks ago, on 24 April, it said that it had a three-year-old manual that was prehistoric and needed rewriting because it was so out of date, and advised clients to take out employer and public liability insurance. Did it do that five years ago, four years ago or three years ago? How widespread is the problem? The Minister may know about that from cases that have reached his desk. I have asked colleagues, some of whom say that they have come across the problem. I will write to him with full details.

Now that I have raised the issue in the House of Commons in a fairly gentle way, Derbyshire county council will give me a full, detailed and substantive response. If not, I shall seek an Adjournment debate to deal with the matter in rather more detail.

5.45 pm

Mr. Kevan Jones (North Durham) (Lab): The debate today has been very good, and the thrust of the consultation document was to try to ensure that we not only support people in their own homes for longer, but make sure that their quality of life in old age is rewarding and comfortable.

There are cases, however, where it comes to the point at which people cannot be kept in their own homes. We need the fallback, especially in rural counties such as County Durham, of locally provided, resourced and staffed units to look after some of the more challenging and difficult cases with which relatives cannot cope at home.

The right hon. Member for North-West Hampshire (Sir George Young) mentioned the movement to community-based support for mental health services and said that the Treasury saw it as a way of saving money. My problem with the present policy is that lessons that should have been learned in the past are not being learned. My experience of working with local Alzheimer's charities is that they give people with severe dementia or Alzheimer's a tremendous amount of support. A lot of relatives want to look after those people at home for as long as possible, but we all know—reference was made to this earlier—that behaviour can become challenging and it can be difficult for elderly carers to look after those people.

In Durham, we have the Earls House site, run by the terribly named Tees, Esk and Wear Valleys NHS Trust. The trust covers County Durham and some of us pointed out that it might have been a good idea to put County Durham in the title when it was formed, but we were ignored. The unit on the Earls House site, which covers the north of the county, provides accommodation for dementia and Alzheimer's patients with challenging behaviour. The trust is just about to announce the unit's closure. I take issue with the idea that we can have a consultation document where the preferred option by the trust is already there. As the right hon. Member for North-West Hampshire said, the budget is driving this matter rather than the provision for elderly people in the north of the county.

The only provision for these patients will be 40 to 50 miles to the south of the county. We are hearing the right noises about supporting the community, but the beds are needed to support elderly people with difficult situations. For example, a Mrs Swann came to see me last week. She has a 77-year-old husband who has severe Alzheimer's and has been in one of the two wards at Earls House, Appletree and Inglewood. She goes three times a week to visit her husband, who is grateful for the support he gets in that facility. She will now have to travel about 40 miles if the two wards close. Let us not make the mistakes that were made in the past, to which the right hon. Member for North-West Hampshire referred. We will need provision in local areas, and the idea that everything can be closed and pushed into the community is not the answer.

My other concern was raised in a good speech by the hon. Member for Rugby and Kenilworth (Jeremy Wright). It is how we give carers and relatives a voice. Frankly, I opposed the setting up of the NHS Appointments Commission—the independent arm's length commission making appointments to various health trusts, because I am a bit old-fashioned. I believe that politicians should take responsibility for decisions.

Local accountability is not there in respect of the weirdly named Tees, Esk and Wear Valleys NHS Trust. How will Mrs. Swann and other relatives have a say in what happens about the two wards earmarked for closure? The consultation is out, and my hon. Friend the Member for City of Durham (Dr. Blackman-Woods) and I are objecting to the closures. Will those people be able to have an impact and change the situation? I doubt it.

We need to ensure that we give a voice not only to carers, but to relatives. As we know, the individuals in these cases are often unable to articulate the views that are needed. We should have the debate by all means, but let us be careful not to get into a situation in which facilities are closed and we more or less say that somehow people will cope at home. They will not.

I also want to mention something raised by the right hon. Member for North-West Hampshire: the relationship between social services, acute trusts, local NHS trusts and primary care trusts. How do those interact? How do people work their way through that network? We need to consider that carefully. If we are to keep people in their homes for longer, we cannot have the silly situation mentioned earlier, in which, for example, the county council does the assessment for adaptations, the district council direct labour organisation does the work when it finally gets around to it and the poor client is unable to hurry up the case or, in many cases, to get an answer about some of the assessments. I hope that the abolition of the single-tier local authority in County Durham will help. However, if we are to have these joined-up care packages, I am concerned about how people will have that seamless service, whether they are in hospital, local authority care or, like Mr. Swann, in a hospital ward run by the acute trust.

This has been a good debate and the document is the right way to start the consultation. However, at the end of the day, what we are discussing will not be a cheap option for care. If all parties enter the process with that starting point and realisation, we may be able to get a system that is better not only for recipients of care, but for their carers and loved ones, who are also important and want their elderly relatives to be treated with pride and dignity.

5.53 pm

Mr. Ivan Lewis: With the leave of the House, Mr. Deputy Speaker, I should say that, on the whole, this has been an excellent, high-quality debate. However, I have to turn to the contribution from the hon. Member for Eddisbury (Mr. O'Brien), which demonstrated that Conservative Front Benchers have no policies, no vision and no substance when it comes to these and many other issues. I asked the hon. Gentleman how often the group set up by the Leader of the Opposition to consider

[Mr. Ivan Lewis]

social carers had met, and his answer was, "Many numerous times." Will the hon. Gentleman write and tell me how often it has met?

Will the hon. Gentleman also speak to Sir Simon Milton about Putting People First, probably the most radical transformation of social care for a generation? It is happening in every local authority area. The hon. Gentleman described it as "a bundle of papers". I should tell him that there was never any commitment to a Green Paper specifically on individual budgets; later this year, we will publish the results of the evaluation into the individual budget pilots in the 13 local authority areas. The rest of the hon. Gentleman's contributions were very constructive.

I can assure my hon. Friend the Member for Kingswood (Roger Berry) that there is a commitment to issue a Green Paper early next year. There is no doubt that as we consider fundamental reform of the system, we must take seriously the question of differential approaches to charging and, specifically, the portability of care packages. I pay tribute to his long-standing contribution to championing the rights of disabled people.

On behalf of the Liberal Democrats, the hon. Member for Sutton and Cheam (Mr. Burstow) must answer the question about where the money for their policy would come from. Would it, as he hinted, come from cuts to spending elsewhere, such as in the NHS? Would there be a tax rise to fund it? He must also say whether their policy is genuinely sustainable in the long term or simply intended to get them through the next general election. I greatly respect the work that he has done on elder abuse and on dignity for older people, and I hope that he will think that the review of the No Secrets guidance comes up with an appropriate system for adult protection that reflects some of the tensions and challenges that have been evident in the debate.

Everybody I have spoken to regards my hon. Friend the Member for South Thanet (Dr. Ladyman) as having been an excellent Minister for social care. He put in place the foundations that led to many of the reforms that have taken place in recent times. He is right that it would be wrong to talk about the future funding of social care being based on the existing system and model. The challenge is whether we can have a vision for the future that reflects people's changing aspirations, the opportunities presented by technology and extra-care housing, and people's behaviour in terms of financial incentives. This is not simply about tinkering with the existing social care system.

I pay tribute to the contribution by the right hon. Member for North-West Hampshire (Sir George Young). He clearly "gets it" in terms of self-directed support. It is one of the most radical reforms of public services—a redistribution of power between the state and the citizen the like of which has not been seen previously in public services. It is important that the policy is explained to people and that they are enthused by it, because it is an incredible example of social justice and equality of opportunity in action. He is right to point to the obstacles and barriers and to the lessons that we need to learn in putting into practice this entirely new approach to vulnerable people's rights to exercise self-determination and maximum control over their own lives.

I pay tribute to my hon. Friend the Member for Worsley (Barbara Keeley), who has championed the cause of carers for many years since she entered this House. I hope that she will not be disappointed when she sees the new carers strategy on the role of GPs as regards identifying and acting specifically on the needs of carers. She is right to refer to the appropriate balance between universal entitlement and local discretion, which has come up time and again in the course of the debate.

I pay tribute to the hon. Member for Rugby and Kenilworth (Jeremy Wright) for the work that he has done in the House on raising the profile of dementia. We have to bring dementia out of the shadows—that is one of our great challenges. He is right to prioritise the need for carers to have access to appropriate respite and to note that professionals sometimes do not treat carers with the respect that they deserve.

I pay tribute to my hon. Friend the Member for Stafford (Mr. Kidney), who is right to say that many of these issues are at the frontier of the new welfare state—they are the new challenges to which any responsible Government, and indeed Opposition, should face up. He rightly identified five themes from the work that he has done with Staffordshire university.

We did not speak enough about the work force. If we are to make a reality of this new agenda, it is essential to get the quality of the work force right. With a low-skilled, low-paid work force, we have a lot of work to do in thinking through the implications of the new system in terms of the people who will be required.

The hon. Member for Chesterfield (Paul Holmes) said that Labour has poured loads of money into health and education. We do not often see that acknowledgement in "Focus" leaflets. He advocated significant tax hikes, although I am not sure that he will do so in his own constituency. However, he is right about guidance on issues such as direct payment.

My hon. Friend the Member for North Durham (Mr. Jones) rightly talked about the nonsensicality of proposing the reorganisation and reconfiguration of services without being clear about the alternative provision that will be in place and the fact that that needs as far as possible to be available locally. There will always be a need for residential and nursing care, and sometimes acute hospital beds, for people with dementia. Decisions need to be made not just about the here and now, but with regard to planning for the long term needs of his constituents. I agree with him that there should be a genuine consultation but it must be about future provision and demand for people with dementia. It is important that the voice of relatives is heard in that debate.

It being Six o'clock, the motion lapsed without Question put.

Highways Agency

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Blizzard.]*

6 pm

Andrew Selous (South-West Bedfordshire) (Con): I am particularly grateful to Mr. Speaker for granting me this Adjournment debate at relatively short notice. When threats to local jobs are involved, he is always concerned to ensure that Members have the opportunity to raise the matter on the Floor of the House.

I shall briefly sketch my constituency for the Minister. It had a fairly extensive industrial base, particularly in the Dunstable and Houghton Regis area, where we used to make the Bedford truck, and a large auto components industry sprang up around that making car batteries and so on. We had the ACDelco factory at the north end of Dunstable high street, the BTR rubber factory at the south end, and in between a number of other factories producing high-quality jobs and exporting goods all over the world. Sadly, much of that industry has gone in recent years, notwithstanding the excellent efforts of the economic development team and others in South Bedfordshire district council to bring new jobs to the area. We have some excellent new retailing and distribution jobs in the area, but we have lost much of our industrial base. The most recent loss was the closure of the ecomold factory, where some 200 jobs were lost, along with Dunstable's last link with the car trade.

On 27 March this year, I hosted the Under-Secretary of State for Communities and Local Government, the hon. Member for Hartlepool (Mr. Wright), in my constituency. We were accosted by a developer who was seething about his dealings with the Highways Agency while trying to create jobs in the south of Dunstable. I took a close interest in the subject and followed up that developer's concerns—I should make it absolutely clear that I have no financial involvement with him. What I discovered disturbed me very much.

My interest in this debate is to make sure that the redevelopment of the site of a former major factory that employed a great number of my constituents in days gone by is brought to fruition, and that the economic base of my constituency has a chance to recover. I should also point out to the Minister that the issue of local jobs is particularly critical for my constituency, because we are in one of the Government's housing growth areas. The Government want 43,000 extra houses in our area. The people in those houses need to work and many of them will need the opportunity to work locally. For reasons of sustainability, and for various other reasons, they will not all be able to commute for miles, even should we want them to.

Unfortunately, the Highways Agency has a slightly chequered history. I shall mention two other issues before I come to the main substance of the debate, which is the agency's dealings with the development on the former BTR site. My first general concern, which I mentioned briefly to the Minister last night, is the agency's involvement in building what is known as the A5-M1 link, formerly the Dunstable northern bypass. That is a key requirement for all of my constituency, including Leighton Buzzard, and all the villages and towns outside my constituency, such as Aylesbury. It must function properly to serve local people and ensure that we have a vibrant economic base.

The Highways Agency and many other stakeholders are coming to Dunstable on 4 July to a meeting, which I shall chair, with the secretariat of the Government office for the east of England. It is critical to get the Dunstable northern bypass—the A5-M1 link—in place well before the housing growth occurs. Congestion in the area is awful. It is the reason for our losing many jobs recently and for the retail base in the centre of Dunstable experiencing particular pressure. I therefore look for a positive move forward on 4 July from the position at the December meeting.

South Bedfordshire district council has raised concerns with me about the fact that the new employment land lying alongside the growth area around proposed junction 11A of the M1—the point where the A5-M1 link will join the M1—means that the housing growth will start well before the transport infrastructure is in place to enable the land to provide the jobs for the extra 43,000 dwellings that are proposed for my area.

The main reason for the debate is the proposals for the site south of Dunstable. I understand that the design was first submitted to the Highways Agency in September 2006, but technical approval took a further 11 months to obtain—it was granted only in August 2007. If the final hurdles are successfully surmounted—as of today, that has not happened—it will take a good two years for building work to start on the site. I was especially concerned to learn from the developers that the Highways Agency had apparently not factored in the major factory site south of Dunstable, next to the A5, when it undertook its traffic modelling for the "green wave", officially known as the A5Q relocation works, on which it spent £2 million a couple of years ago. It was a controversial scheme, which was subject to National Audit Office censure, unusual though it is for the NAO to focus on a local project and produce a report on it. However, the developers tell me that the traffic modelling did not take account of the major factory site, which included some 243,000 sq ft of former BTR buildings.

The developers, iCP, tell me that it has taken a long time to get the project near the starting blocks and able to move forward. They also tell me that they struggle with the fact that, despite being responsible for the full cost of working with the Highways Agency, they feel that they have no control over the process that the Highways Agency has imposed on them. I understand that the drainage design was submitted in November 2006, yet comments from the Highways Agency were not received until April 2007—five months later.

I gather that the Highways Agency offered two different types of procurement process to the developers, but advised them to choose one because the other entailed more legal complications. I further understand that there was a meeting with the Highways Agency on 28 April to try to iron out the final problems. I understand that iCP responded with everything that the Highways Agency had asked for on 7 May. Apparently it then took three weeks for the developers to receive minutes of the meeting. They were then told that the final legal document—the section 278 agreement, as I understand it is called—would be ready by the middle of May. However, I have spoken to the developers today and I understand that the document has still not been supplied.

[Andrew Selous]

I could provide the Minister with more detail, but I should say a little more about the fact that the costs to the developer have risen significantly because of the two-year delay. That has altered the economics of the project. In this debate, I am asking the Minister is to ensure that the new chief executive of the Highways Agency, who comes into post shortly, takes a personal interest in ensuring that the agency is as co-operative as possible, so that that important project, which will provide many jobs for my constituents, comes to fruition. The Minister will be aware that the financial climate has changed dramatically in the past six months or so, because of the credit crunch. We are lucky that iCP still thinks that it will be able to develop the site.

In essence, what I am saying to the Minister is that everyone in public life, including us, whose salaries are paid out of the profits of successful businesses, and all the civil servants and local government officers, who are also paid out of the public purse, need to realise that when they deal with commercial projects of this nature, there is a certain momentum about the business deal. Of course things have to be done properly to ensure that the traffic flows. However, if officials in the Highways Agency do not realise the commercial necessity of moving at a speed that will enable a project's developers and financial backers to bring it to fruition within a realistic commercial time scale, a lot of projects—not just in my constituency, but throughout the country—will not come about.

At a time when unemployment is starting to rise—I have mentioned the 200 jobs lost in my constituency—and when, sadly, significant extra job losses are possible across the country, as we have read in the papers over the past few days, it is imperative that all Departments and all Executive agencies, including the Highways Agency, realise the need to ensure that such projects come to fruition.

Mr. Philip Hollobone (Kettering) (Con): My hon. Friend is clearly a powerful champion for his constituents and has made an impressive case on their behalf this evening. I agree with his call for the Minister to urge the Highways Agency to get its act together. In my constituency, which is also in a growth area, there are no plans to improve the A14 around Kettering until after tens of thousands of new houses have been built. That is simply the wrong way round. We cannot have extra houses first and road improvements afterwards. The developments should be the other way round, as my hon. Friend has said.

Andrew Selous: I am grateful to my hon. Friend. It seems that the issues in my constituency are similar to those in his and, no doubt, throughout the country.

I wanted to raise the issues that relate specifically to my constituency. I am passionate about the provision of local jobs in my constituency. Genuinely sustainable communities—that is what the Government like to call their housing growth plans—are communities in which there is a proper balance between housing and employment, with the necessary transport to get people between the two. Many people need the chance to work locally. The site in my constituency is next to the Downside estate, to the south of Dunstable. Many people will able to walk to work at the site, in a carbon-neutral and sustainable way.

I am grateful to the Minister for the opportunity to brief him last night on the issues. I ask that he give them serious consideration. I am determined that the commercial deal in my constituency should come to fruition. I also ask him to ensure that the officials in the Highways Agency develop a slightly better understanding of the pressures under which people in commercial life operate, especially in the new, constrained circumstances resulting from the credit crunch, when funding for commercial deals such as these is much less readily available than it was in the past. Land prices are falling, and, because of the two-year delay, the costs of the project, not least those arising from the Highways Agency, have risen considerably. I repeat: we are fortunate that the developer thinks that it can bring the project to fruition. I want to make sure that that definitely happens and that those jobs are available for my constituents.

6.15 pm

The Parliamentary Under-Secretary of State for Transport (Mr. Tom Harris): I congratulate the hon. Member for South-West Bedfordshire (Andrew Selous) on securing this debate. I also thank him for doing me the courtesy of briefing me last night on the subject that he wished to raise today. Of course, it was not a complete surprise, given that we have had an exchange of correspondence on the subject as recently as 21 May.

I have reordered my prepared speech, because I want to address the specific issues that the hon. Gentleman has raised before I talk generally about the role of the Highways Agency. I know that he has maintained an active interest in the conditions on the A5, both strategically and locally in his constituency, as well as in the development activity, and the infrastructure requirements needed to underpin it, in and around Dunstable.

The Highways Agency is an executive agency of the Department for Transport, responsible for operating, maintaining and improving the strategic road network in England on behalf of the Secretary of State. The agency plays a vital role in supporting the everyday lives of individuals and communities, and it is crucial to the success of the UK economy, giving good service directly to road users and thereby ensuring that the economy continues to thrive while ensuring that environmental conditions are not adversely affected.

In the case of the development at Dunstable, there were delays, but they were caused not by the Highways Agency but by shortcomings in the design presented by the developer's agent. I fully respect the role that the hon. Gentleman is playing in representing an important developer and potential investor in his constituency, but I hope that he will accept that he has, perhaps inevitably, been presented with a one-sided illustration of the situation by the developer. That is inevitable, because the developer can speak only from his own point of view.

The criteria to which developers have to adhere when applying to participate in a development of this kind are well understood and well publicised. There really is no excuse for any developer to find himself out of the loop or for him not to adhere to any of the criteria. If that happens, however, the Highways Agency has no alternative. It cannot, for example, fast-track an application. It certainly cannot fast-track an application if the information that has been presented to it is in any way at fault, or if it in any way falls short of the criteria and standards that have already been publicised, and that any developer would know that he had to meet.

I do not mean to suggest, by those comments, that the developer has absolutely no grievance against the Highways Agency. I gave the hon. Gentleman an undertaking here in the Chamber last night that I would ensure that the agency approached this case with some priority, to ensure that we do not lose the valuable opportunity for this level of development in the hon. Gentleman's constituency. That is clearly a target that we both want to achieve—as does the Highways Agency. I would certainly be concerned if the agency had done anything to put that investment at risk.

I should like to refer the hon. Gentleman to the letter that I sent him on 21 May. There is no evidence, as far as I am concerned, that the Highways Agency is at fault in this regard. In fact, in any future similar development proposal, if the agents for a developer did not provide the required information, I would not expect the Highways Agency to proceed with the application.

Andrew Selous: I said I understood that things had to be done properly, and I gave the Minister specific examples of time scales which to my mind seem quite long. Let me give him one more. iCP gave the last legal documents to the Highways Agency on 7 May. It is now 5 June. They were vital to get the section 278 agreement signed and the agency knew how urgent that was. I understand that consecutive members of the Highways Agency have been on holiday over that period. Frankly, that is not good enough. Did the Highways Agency tell him about that today?

Mr. Harris: If that is the case, I agree that it is not acceptable. I shall make inquiries to ensure that I am fully apprised of those facts. There is no real major point of principle separating the hon. Gentleman and me on this case. We both want the same thing, and I would contend that the Highways Agency also wants the same thing. However, I shall ensure that there are no unnecessary delays between now and the final acceptance of this particular application.

With regard to the comments by the hon. Member for Kettering (Mr. Hollobone), we have discussed the matter he raised a number of times, not least during the Transport Committee hearings a few weeks ago. Instead of there being a presumption that housing growth comes before the development of the necessary road infrastructure, he suggested it should be the other way around. I would suggest that there could be a third way, which is that road infrastructure development should happen at about the same time as housing infrastructure. I would not support a situation in which perhaps billions of pounds—certainly hundreds of millions of pounds—are spent on a particular region in advance of housing growth. I do not think the hon. Gentleman would suggest that either. It cannot be the other way around, as he suggests. I think that the development has to happen simultaneously.

Mr. Hollobone: My hon. Friend and I are experiencing the same problem in that we are not getting roads at the same time as development is taking place. In my constituency of Kettering, the Highways Agency is proposing that the A14, which is a dual carriageway, is split into three lanes on both sides of the carriageway without widening it. Local people are frightened of driving on the road now. They will simply not go on it in future. There are no plans to change that until after 2016. In both Bedfordshire and Northamptonshire, the Highways Agency simply does not get the growth agenda of the Department for Communities and Local Government.

Mr. Harris: My understanding is that the A14 is a road of regional importance. The reason the work is not going ahead is that it has not been prioritised by the regional transport board in the hon. Gentleman's area. However, I find it difficult to believe that following its transition to a three-lane dual carriageway, as it were, his constituents would refuse to travel on it. One overarching principle of any such development is that safety procedures and standards, which are very high in this country and in the Highways Agency, are adhered to. I encourage him to encourage his constituents to continue to use the road network, particularly following such developments.

I shall return to my prepared comments, because they refer specifically to the issue raised by the hon. Member for South-West Bedfordshire. The developer subsequently proposed a number of changes to the highways works as a means of reducing the cost. The agency afforded all the bidders the opportunity to review their prices as a consequence. All of that is in accordance with good procurement practice. Hence the overall cost of the scheme rose because the estimates prepared by the developer's own advisers proved to be considerably lower than the cost of the current anticipated works. Also, the design costs of the agency's agents are inevitably higher owing to the previously mentioned shortcomings of the original design and the resulting additional time required to recheck the submissions.

You will not be surprised to know, Mr. Deputy Speaker, that the agency has to charge developers the full cost associated with preparing documentation for section 278 work. I do not expect that procedure to end, and I think that hon. Members in all parts of the House would support it. However, I emphasise that the Highways Agency, the Department for Transport, I, the hon. Gentleman and all hon. Members accept that it is imperative for the Highways Agency to use every effort to ensure that we do not lose the opportunity for crucial investment—investment that creates necessary jobs and leads to the growth of our local economies and our national economy. In that regard, I do not think there is anything for the hon. Gentleman and I to disagree on—although there may be other things on which we wish to disagree.

Andrew Selous: I hear what the Minister says, and he is right. There is no difference between us: we both understand that roads must be safe, and that trunk road entrances and exits in particular must work properly so that there is no danger to the travelling public. What I have not quite heard the Minister say, however, is that he will make a serious attempt to ensure that the Highways Agency, going forward,

[Andrew Selous]

understands the commercial dynamics of each project and at what point it might fail by virtue of the Highways Agency's going through its various processes—which would waste everyone's time, including that of the Highways Agency.

Mr. Harris: I am genuinely grateful to the hon. Gentleman for raising that point. As he said, the Highways Agency is in the process of appointing a new chief executive. I assure him that at my first meeting with whoever the new chief executive may be I will raise that point as a priority, and will ask him or her to do exactly what the hon. Gentleman has suggested. Having said that, I should add that "going forward" is an expression that I never use. It is a horrible expression, and I urge the hon. Gentleman not to use it again.

The Highways Agency is committed to the delivery of the Government's growth agenda, as exemplified by its input to the spatial planning process at all levels and specifically in relation to growth areas, new growth points and eco-towns. The challenge for the agency is to enable that necessary development to proceed, while ensuring that the reliability of the strategic road network is maintained. To do that, the agency has built good relationships with national, regional and local planning stakeholders. It continues to seek new ways of improving those relationships and contributing to truly sustainable solutions.

In operational terms, the agency minimises disruption to the travelling public, and hence the impact on local economies, by carrying out as much maintenance and improvement work as possible at off-peak times and/or overnight. Clearly the environmental consequences of overnight working preclude its being done on routes that are close to residential properties. That applies particularly to work on the A5 in Dunstable, where the trunk road also forms the town's high street.

Although it is undesirable for the trunk road to be located in such an environment, the agency must work according to the realities of life while attempting to mitigate the effects of the road. However, as the hon. Gentleman knows, plans to remove the road from the centre of Dunstable are in the Department's major roads programme. The proposed A5-M1 link to which he referred—the Dunstable northern bypass—will provide an alternative route for strategic traffic on the A5, and will provide significant benefits in terms of journey time reliability across the network. The preferred route for the scheme was announced in February last year; since then there have been minor changes, which were shown locally at an exhibition early in October.

We are not viewing the link road in isolation. Planning proposals are likely in the near future for a significant housing development consisting of up to 16,000 new homes north of Dunstable, between Houghton Regis and the link road. The development is part of the large Milton Keynes-south midlands growth area.

The Highways Agency and its consultants have been working closely with developers who have an interest in developing the land north of Dunstable and south of the A5-M1 link. A position paper which was signed recently sets out the matters that have been agreed between all parties so far, including the Highways Agency. The agency has also been giving its comments to Luton and South Bedfordshire district councils on the local development framework documents, which set out the proposals for future development in the Dunstable area among others. It has expressed a desire to become more closely involved with the traffic-modelling work that will underpin the transport strategy for the local development framework. For some time it has adopted a proactive approach to development in the Dunstable area, and it meets developers and others regularly to establish what must be done.

Andrew Selous: The one thing that all my constituents want to know about the A5-M1 link is when it will be built. Can the Minister specify a date?

Mr. Harris: I think that if I were to give the hon. Gentleman a date he would be more surprised than me, but I am happy to write to him informing him of the stage that the planning process has reached. It would not be appropriate to make such an announcement during an Adjournment debate.

The regional funding allocations provide the means of delivering the transport priorities for each region, and hence fulfilling those in the east of England plan. The Secretary of State for Transport's response to the region on 6 July 2006 accepted its advice that the construction of the A5-M1 link road should start during the period between 2008-09 and 2015-16—a date that is not as specific as the hon. Gentleman would like—but also required the Highways Agency to proceed with the scheme through statutory processes—

The motion having been made at Six o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at half-past Six o'clock.

House of Commons

Friday 6 June 2008

The House met at half-past Nine o'clock

PRAYERS

The Second Deputy Chairman of Ways and Means took the Chair as Deputy Speaker, pursuant to the Standing Order.

Mr. Mark Harper (Forest of Dean) (Con): I beg to move—

Julie Morgan (Cardiff, North) (Lab): On a point of order, Mr. Deputy Speaker. I beg to move, That the House do sit in private.

Question put forthwith, pursuant to Standing Order No. 163 (Motions to sit in private):—

The House divided: Ayes 0, Noes 29.

Division No. 211] **[9.33 am**

AYES

Tellers for the Ayes:
Julie Morgan and
Stephen Williams

NOES

Ainsworth, rh Mr. Bob
Baird, Vera
Brennan, Kevin
Burt, Alistair
Chope, Mr. Christopher
Clark, Greg
Dismore, Mr. Andrew
Evans, Mr. Nigel
Featherstone, Lynne
Field, Mr. Mark
Gidley, Sandra
Harris, Mr. Tom
Hollobone, Mr. Philip
Jones, Lynne
Kaufman, rh Sir Gerald
Keen, Ann
Laing, Mrs. Eleanor
Love, Mr. Andrew
McDonagh, Siobhain
McIsaac, Shona
Mundell, David
Newmark, Mr. Brooks
Plaskitt, Mr. James
Prentice, Mr. Gordon
Swinson, Jo
Taylor, Matthew
Thomas, Mr. Gareth
Ussher, Kitty
Wills, Mr. Michael

Tellers for the Noes:
Mr. Mark Harper and
Mr. Stewart Jackson

Question accordingly negatived.

It appearing on the report of the Division that fewer than forty Members had taken part in the Division, MR. DEPUTY SPEAKER *declared that the Question was not decided.*

Voting Age (Reduction) Bill

9.46 am

Julie Morgan (Cardiff, North) (Lab): I beg to move, That the Bill be now read a Second time.

It is a great pleasure to speak on this important matter. Every day, Members speak in this House on behalf of others who cannot be here—our constituents and those people whose causes we take up. We pride ourselves on being able to speak for our communities as a whole, transcending our political allegiances to represent our electorate as best we can; I am pleased that there is some support from all parties here today.

We are responsible to that electorate because ultimately they can vote us in or out. That is one of the reasons why we try to represent them well. We are all well aware that we are here only because we have been voted in by the public. That is why today I am going to do a strange thing as a politician. I am going to speak on behalf of 1.5 million people who did not and could not vote for me.

Mr. Kevan Jones (North Durham) (Lab): On a point of order, Mr. Deputy Speaker. During the last Division, the No Lobby was not clear so my vote and those of four other Members were not counted.

Mr. Deputy Speaker (Sir Michael Lord): I thank the hon. Gentleman for bringing that to my attention. I shall have the matter looked into.

Julie Morgan: I am going to speak for people aged 16 and 17, who are currently denied the vote.

The purpose of the Voting Age (Reduction) Bill is straightforward: to reduce the legal voting age to 16 for all public elections across the United Kingdom. That is the only way to engage the young people to whom we desperately need to talk as politicians and the only way to send the message that we really care about the issues that affect those people.

Mr. Mark Harper (Forest of Dean) (Con): The hon. Lady has tabled early-day motion 493 in support of the Bill; I am sure that she will come to it later. I note that 111 colleagues have supported that early-day motion. She says that this is an important issue. Can she tell us why so few of those colleagues have turned up to support her Bill?

Julie Morgan: The hon. Gentleman knows as well as I do why there are not many Members in the Chamber today; that is in the nature of private Members' Bills.

There are many excellent reasons why the voting age should be lowered, all of which are outlined in the pamphlet that I have produced with the "Votes at Sixteen" campaign, entitled "16 for 16: 16 Reasons for Votes at 16". I want to focus my speech on five key arguments. I will discuss the desire for the voting age to be lowered among young people themselves and among the organisations that work with them. What is more, I will discuss why young people have a right to a vote at 16.

Mr. Stewart Jackson (Peterborough) (Con): I congratulate the hon. Lady on securing such a high position in the private Members' Bills ballot. I am listening carefully to

[Mr. Stewart Jackson]

her opening remarks. Would she care to share with the House any opinion polling evidence from young people between the ages of 16 and 18 where they have put voting age reduction as the No. 1 issue of concern above, say, the economy, tax, pensions, the health service or schools?

Julie Morgan: There is evidence to show that, and I will discuss that later. Polling evidence has been taken in Wales by members of the Funky Dragon organisation, among others.

I will argue that lowering the voting age would have a positive impact on levels of engagement among young people and that votes at 16 would be beneficial for our democracy as a whole. Finally, I want to stress that the time is now right for this measure in a way that it may not have been before. This is a key time to take this decision and to go with the politics of hope.

Mr. Brooks Newmark (Braintree) (Con): Does the hon. Lady recognise that one of the big challenges is that it is hard enough to get 18 to 21-year-olds to vote, yet they too, at an earlier stage, called for more representation and wanted a say in politics? Surely we should focus our energies on trying to figure out how we are going to motivate them to get voting instead of continually trying to lower the age limit.

Julie Morgan: The hon. Gentleman makes an important point that I have considered carefully. However, I believe that by involving young people at a younger age we are more likely to involve those in older age groups as well, because people can get into the habit of voting when they are still in schools and institutions. One of my reasons for introducing the Bill is the hope that it will get all younger age groups voting.

The popular assumption is that young people are not interested in politics, and engagement in formal politics is certainly a problem. To follow the hon. Gentleman's point, in the 2005 election only 37 per cent. of eligible 18 to 24-year-olds voted—a sad indictment of the situation. Nevertheless, young people are politically aware and active. We all know how enthusiastically they join campaigning organisations and pressure groups on many issues.

Mr. Andrew Love (Edmonton) (Lab/Co-op): Does my hon. Friend accept that part of the reason turnout among young people has been so low is that it has been low generally, particularly in the last general election? In 1997, the turnout was much higher among 18 to 25-year-olds. Is not the problem essentially that we do not speak the language of young people and therefore fail to engage them in the political process?

Julie Morgan: My hon. Friend is absolutely right: we do fail to engage young people. That is why it has been so good being able to campaign on the Bill. I have spoken to many young people and have been so impressed by their enthusiasm. They have attended meetings in the House of Commons and spoken with a passion about their belief that they should have the right to vote, and that has given me great hope for the future. We need to speak the language of young people. Part of my reason for promoting the Bill is to connect with young people, and I have been pleased to be able to do so.

According to a Home Office citizenship survey, 81 per cent. of 12 to 16-year-olds believe that there should be a way to get young people involved in politics. There is a clear and consistent demand from young people for a lowering of the voting age. Research from organisations such as the British Youth Council, the Children's Society and Save the Children has found a desire among young people for the vote.

Mr. Nigel Evans (Ribble Valley) (Con): I endorse what the hon. Lady says about young people getting involved in politics, as they do at all ages. We are all on the receiving end of letters from youngsters at school who are encouraged to write to their Members of Parliament or who write to us on their own initiative on a range of issues. They join various groups trying to save the whales or to save the environment. We know that they are passionately involved. Does she agree that this is a great apprenticeship whereby they can get involved in politics without going to the next stage, which is to have a vote? There has to be a dividing line somewhere, and one could argue that it could be 17, 16, 15, 14 or 12, but 18 seems to be the appropriate voting age in the vast majority of places in the world.

Julie Morgan: I thank the hon. Gentleman for an important contribution to the debate. I accept that many young people are involved in such pressure groups in a very enthusiastic way, and I applaud what they do. However, young people themselves are saying that they want the vote. There is a move towards lowering the voting age in many other countries, and I think that we should be the leader in this and show our respect for young people. They are the hope for the future—let us put some trust in them and give them the vote at 16.

Mr. Kevan Jones: I follow the argument that there should be voting at 16, because that is in line with other rights that people gain at 16, but does my hon. Friend agree that the argument that lowering the voting age to 16 would increase turnout does not hold water, because experience in places where it has been done shows that turnout goes down overall rather than up?

Julie Morgan: I thank my hon. Friend for his contribution. The Electoral Reform Society has calculated that if young people voted at the same rates as 18 to 24-year-olds, the percentage turnout would stand still, and if none of them voted it would go down by about 2 per cent. However, I am introducing the Bill not to try to increase turnout but because it is a good way of recognising young people's involvement and what they can do.

Lynne Jones (Birmingham, Selly Oak) (Lab): Should not the aim be to ensure that the cohort of youngsters coming up to 16 and between 16 and 18 turn out at a higher rate than those who attain the vote at 18?

Julie Morgan: Absolutely, and I thank my hon. Friend for her intervention. One of the reasons I am promoting the Bill is that there is more likelihood that the 16 to 18-year-old group will turn out to vote and will then, we hope, get into the habit of voting, which would boost all turnout rates.

Mr. Christopher Chope (Christchurch) (Con): Does the hon. Lady realise that her Bill is not even supported by members of the United Kingdom Youth Parliament, who, when they met in the other place in May and were asked to vote on what they regarded as the three most important issues to campaign on this year, declined to vote in favour of this proposal because they thought that there were three other issues of greater importance?

Julie Morgan: I can tell the hon. Gentleman that in the meeting to promote the Bill earlier this week we had very enthusiastic members of the UK Youth Parliament supporting it very strongly. Certainly, it is one of the top priorities for the Children and Young People's Assembly for Wales—Funky Dragon—and it is campaigning on it. His point is not particularly valid.

Jo Swinson (East Dunbartonshire) (LD): Does the hon. Lady agree that the UK Youth Parliament does support the Bill, but the fact that it did not necessarily label it as the No. 1 priority just shows the maturity of young people in being interested in a whole range of issues?

Julie Morgan: I thank the hon. Lady for her contribution.

In 2004, the Electoral Commission's public consultation on lowering the voting age found that 72 per cent. of respondents favoured a voting age of 16. That consultation attracted huge levels of participation, including nearly 8,000 young people. More recently, Funky Dragon ran a wide-ranging survey that found that 80 per cent. of young people in Wales wanted votes at 16. Subsequently, the Welsh Assembly passed a motion calling for the voting age to be lowered to 16. This change in the voting system could be achieved only at Westminster, but the support in the Assembly was overwhelming, with 44 Members voting for the motion and only four against, and complete cross-party support. It was quite a surprise that only four Members voted against. That gives a good idea of what cross-party support there is for this measure in Wales.

Young people, their youth councils and youth groups throughout the UK are lobbying their representatives for the right to vote, and I am sure that many Members have been lobbied by young people on the issue. My faith in the ability of young people was strengthened by the event at which I helped to launch the Bill earlier in the week, which I referred to earlier. Young people came from all over the country to attend the meeting and spoke eloquently and enthusiastically. Listening to them, I wondered how we could possibly not give them the vote. These young people were impassioned and determined, firmly making their case, and I was pleased that people came from Wales, particularly from Cardiff, where my constituency is. It was great to hear young people speaking for themselves from the platform, and not being spoken for by us—it was a refreshing change.

I came away thinking about other fights that we have had, such as women's fight for suffrage. A lot of people argued against that as well, but when we look back it seems ridiculous that women could not vote. I hope that one day, when 16-year-olds can vote, we will look back and think how ridiculous it was that there was a time when they could not vote. That happens with all changes: when they start, they seem extreme or groundbreaking to some people, but then they become normal. That is what will happen with votes at 16.

Mr. Harper: I think that that argument is rather specious. Women, when they were not able to vote, were never going to become men. All being well, 16-year-olds will become 18-year-olds, and will therefore get the vote. Whatever else 16-year-olds are, they are not the heirs to the suffragettes.

Julie Morgan: The hon. Gentleman's first point is obviously accurate, but I am comparing the struggle—the fight for recognition and the fight for votes. There are similarities with the suffragettes, and the young people themselves made that point.

Mr. Love: Is my hon. Friend aware that when votes for women were introduced—in 1931, I think—women had to be 30 years and over? It was only subsequently that the age was reduced to 18. Is it not a natural consequence of that movement that the voting age be reduced from 18 to 16?

Julie Morgan: My hon. Friend makes the important point that women were originally allowed the vote only at 30. It was then brought down, and we now hope that it will be brought down again.

Mark Durkan (Foyle) (SDLP): Does my hon. Friend agree that if there is any real comparison between this case and the case of the suffragettes, it is not in the arguments for lowering for the voting age, but in the arguments against? Those arguing against votes for 16-year-olds are suggesting that they would not be mature enough or wise enough, and that they would not have a sophisticated enough interest in politics—exactly the arguments that were used against votes for women.

Julie Morgan: Absolutely. I thank my hon. Friend for his contribution.

All the leading youth-led organisations support votes at 16, including the British Youth Council, which represents the views of 400 youth councils—I particularly thank it for its support—the UK Youth Parliament, which represents the views of 500 young people elected by 600,000 of their peers, and the National Union of Students, which represents the views of several million students. All those groups spoke at the meeting earlier this week, and they all put their case well.

Mr. Chope: The hon. Lady keeps referring to the UK Youth Parliament. At its meeting in May, that body decided on a list of six issues, but it decided that the issue of votes at 16 should be the fifth priority, which shows that it does not regard it as a really big issue, as she suggests.

Julie Morgan: The hon. Gentleman has made that point once already, and we have responded to it.

The organisations that I mentioned work closely with young people, and their opinions of young people are not formed by popular stereotypes but by real involvement. They have no doubt that 16-year-olds have the desire, the capability and the right to vote. I urge this House to pay heed to the voices of young people. I acknowledge that some young people say that they do not want the vote at 16 and 17, but for me that merely demonstrates the point that 16 and 17-year-olds are capable of weighing

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up options and taking an informed view of such issues—exactly the qualities we want in someone who would vote.

Mr. Stewart Jackson: On that point, is not the corollary of what the hon. Lady is saying that we tend to view having a vote to elect Members to the House of Commons as political activity, but overlook the fact that many young people are involved in single-issue groups such as the campaign against ID cards, Greenpeace, Friends of the Earth and others? They are engaged and enthused, but not necessarily in respect of having a vote at the age of 16 or 17. Is it not a bit patronising to assume that young people are interested only in having a vote at the earliest possible age, when they are already campaigning on political issues?

Julie Morgan: Young people tell me that they want the vote.

The crux of my argument is not simply that young people want the vote, although all the evidence coming to me suggests that. I am sure that there are a lot of things that young people may want that we would not agree with, but in this case there is a strong argument that people aged 16 and 17 have a right to vote. The phrase "no taxation without representation" has been used by many groups struggling for political rights over the years, but it applies no less to 16 and 17-year olds working and paying tax who are denied the vote, because there is no age limit on paying income tax and national insurance. Tax is taken on full or part-time work including tips and bonuses, and the most up-to-date figures show that 548,000 16 and 17-year-olds are in some form or employment.

Mr. Harper: The fact is that many children, far younger than 16, pay indirect taxes on the money that they spend. Is the hon. Lady suggesting that a 10-year-old who goes to buy a CD on which VAT is payable should get the vote?

Julie Morgan: I do not think that that is a valid intervention.

This House is currently considering new proposals to ensure that all young people receive training or education to the age of 18. However, even then, many 16 and 17-year-olds will continue to work as tax-paying members of society. Even those studying part-time will be able to work more than 20 hours per week and be taxed on that income. Young people should have some say on how that tax is spent. I have been to schools to speak to young people and hear their views—I know that many hon. Members have done this—and I have found that they have a range of views about what provision there should be in the area, and about how their local authorities are run. I have been amazed at how political their views are—in a way that I had not expected. Although young people are very involved in single-issue politics, they have strong views on more political things.

Mr. Love: It was mentioned earlier that many young people get involved in single-issue campaigns, and that it is a matter of translating that involvement into a more direct and general interest in politics. Is not one of the greatest institutional barriers to achieving that transformation the fact that they do not have a vote and cannot, therefore, influence the decisions taken on their behalf?

Julie Morgan: My hon. Friend makes an important point.

I come to the issue of young people in the military. On 1 April 2007, there were 4,560 16 and 17-year-olds serving in the armed forces. In the last financial year, 30 per cent. of all new recruits to the military were under 18 years of age. People can apply to join the British Army at 15 years and seven months, and to the Royal Navy and Royal Air Force at 15 years and nine months. While it is Government policy that personnel under the age of 18 should not be deployed on any operations that would see them engaged in hostilities, the normal practice is for recruits to sign up to a four-year contract, meaning that in deciding to join at 16 they are making a decision that could see them deployed in two years' time. If they are old enough to join the armed forces, 16 and 17-year-olds deserve the right to vote for the Government who could decide to send them to war. That is a very important point.

Notwithstanding those points, preventing 16 and 17-year-olds from expressing their political views through the ballot box denies them their rights. It gives them and the rest of society the impression that young people's views are not valid and that they are not real citizens. One of the ways in which we can show young people that we respect them and that their views are valid is by getting them to vote. If the Government gave young people the vote, it would be a huge step in recognising the contribution that they can make.

Mr. Harper: Those in favour of lowering the voting age cite selectively the point about the armed forces. A 16-year-old cannot join the Army without parental permission. That shows that we do not trust 16-year-olds to decide by themselves to join the armed forces, yet those in favour of the proposal never cite that fact.

Julie Morgan: Sixteen-year-olds can sign up, however they do it, and can eventually end up in a conflict. That is an important point.

Lynne Jones: As a parent of a son who is now 18 and another who is 25, I can say that if they had expressed the view at 16 that they wanted to join the armed forces, it would have been difficult to refuse because parents want to do their best for and support their children.

Julie Morgan: I thank my hon. Friend for that intervention.

In the past decade, there has been an explosion of activity to support children and young people to influence decisions that affect their lives. However, the best authority on a young person's life and experience is that young person. All the bodies that work with young people try endlessly to get them involved in consultation and steering groups to get their opinions. The argument for involving young people in those groups is the same for lowering the voting age.

It is worth noting the 2005 European Court of Human Rights declaration that the restriction in the UK on convicted prisoners voting was incompatible with the

European convention on human rights. The judgment was based on the principle that voting is a human right and that any restriction on the right to vote must therefore be legitimate and proportionate. One could say that, on 1 May, when the local elections took place, 90,000 16 and 17-year-olds were denied the opportunity to vote. Large groups of people who are capable of voting are excluded from doing so. Lowering the voting age would send a powerful signal that the Government believe that young people are capable of making decisions that affect their lives. We have a historic opportunity to mark the Government's commitment to young people.

One of the arguments against the Bill is that young people are not sufficiently engaged in politics to have the vote. I have already said that we have a problem with engaging young people, and that the turnout statistics for the young, especially at general election time, are worrying. However, that is not a reason for rejecting the Bill; it is a challenge, and lowering the voting age is one way in which to meet it.

Mr. Love: If we took turnout as the acid test for voting, 18 to 25-year-olds would not get the vote and ethnic minorities and people in poorer communities might not get the vote. Is not it risible to use turnout as an argument against giving 16 and 17-year-olds the vote?

Julie Morgan: It certainly is. Votes at 16 would increase young people's engagement in politics because it would also increase the engagement that politicians are obliged to have with young people. It stands to reason that those in the political system will be more interested in the opinions of those who can vote and have influence. Our political system is currently skewed too far in favour of those who are older, for simple reasons—there are more of them, they have more power and they tend to vote more. Of course, it is tremendously important to pay regard to, and do all we can for older people, but I believe that we pay less attention to young people's views because they cannot vote. It is inevitable in such a system that they do not have the power of older people.

Alistair Burt (North-East Bedfordshire) (Con): The hon. Lady is developing a serious argument, which hon. Members of all parties are taking seriously and considering carefully. However, she is not on the right track with her current point. Like most hon. Members, I recognise, as my hon. Friend the Member for Forest of Dean (Mr. Harper) said, that 14, 15 and 16-year-olds grow up. I therefore pay a lot of attention to what they say—when the next election comes along, they will probably be 18. I do not believe that any hon. Member disregards those under 18 simply because they cannot vote at that precise moment. The hon. Lady's argument that we do not pay attention to, or consider the views of, young people is flawed. It is patronising to assume that we do not pay attention to young people simply because they do not have the vote until they are 18.

Julie Morgan: I am sure that hon. Members try to engage with young people, but it is difficult to do that in a system in which 16 and 17-year-olds do not have the vote. It would be much easier to take their views on board if they had the vote. It is inevitable that we pay more attention to those who can vote.

In 2007, the population of those of state pensionable age is projected to exceed the number of children for the first time. Older people represent the vast majority of voters. Political parties draw up policies and manifestos that are close to the opinions of those whom they are trying to attract. It is inevitable that we do not give young people the same attention because they do not have the vote. We would listen much more carefully to what 16 and 17-year-olds wanted if they had the power to vote us out of office.

On the whole, political parties do not attract young supporters. Policies that resonate with young people are not discussed and they therefore sometimes feel that politics is not for them. Lowering the voting age would help to redress the balance and ensure that young people's views have weight. If 16 and 17-year-olds were given the vote, politicians would have take their views, as citizens, seriously and political parties would be spurred into activity, ensuring young people's inclusion in policy formulation and in debate and as activists.

Mr. Kevan Jones: I am interested in my hon. Friend's comments about the age at which people engage with political parties. As she knows, one can join the Labour party at 15, and that does not prevent people from joining. Is not the broader point that people tend to be active, in a political party sense, later in life?

Julie Morgan: I believe that we need to encourage young people to join political parties—there are many more older people than young people in political parties. Giving them the vote is one way in which to engage them in political parties.

Where the voting age has been lowered, with a sustained public awareness campaign with young people, turnout at elections has been boosted. In Germany, there has been higher turnout among the 16-to-18 age group than among the 18-to-24 age group. There are similar examples in the UK. More than 20,000 young people voted in Essex to elect six members of the Youth Parliament from 92 candidates. That is tremendous.

Mr. Jones: My hon. Friend rightly cites the German example, but has she considered the Isle of Man, where the voting age was reduced to 16 in 2006? A month before the election, fewer than half the 16-year-olds who could register had done so.

Julie Morgan: I intend to refer to the Isle of Man later. I shall make progress now, or I shall speak for too long. [Hon. Members: "Take your time."] Okay.

If increasing young people's participation and engagement is a shared aim among hon. Members—I am sure that it is—I am convinced that lowering the voting age would help. Sixteen is the ideal age at which to catch young people and inspire them to take part in the political process, which will then, I believe, become a habit for life. Today's 16-year-olds have had the benefit of systematically studying our democracy and electoral system, and the importance of voting, through compulsory citizenship education, which became part of the national curriculum in 2002. Young people today have had more opportunity to be informed about voting than most current voters, yet they are denied the right to put that knowledge into practice for a further two years at least, and possibly another seven. Lowering the voting age to

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16 would allow for a seamless transition from learning about voting, elections and democracy to putting such knowledge into practice.

Importantly, most 16 and 17-year-olds are in education and have the opportunity to discuss issues and to get into the habit of voting. If young people air their views and discuss the process with other members of their class or college, there is much more chance that they will vote. In Wales, the equivalent of citizenship education is the personal and social education framework, which provides an opportunity to learn about active citizenship as part of the curriculum. All that is happening in schools today, so now would seem an ideal time to move towards a younger voting age.

Mark Durkan: My hon. Friend has made the point that 16 and 17-year-olds, perhaps because they are in education settings, would be in a better position to discuss voting and might be better motivated to vote than some older young people. Is it not also likely that those young people will be living at their home addresses, near the polling station at which they are registered, and will therefore probably be more likely to exercise their vote than many 18 to 21-year-olds, who usually live away from home at the time elections take place?

Julie Morgan: I was coming to that point. As we all know, 18 to 21-year-olds are difficult to canvass during elections. Often, when we get to a house with lots of different names, we know that student voters are living there, and we do not know whether they are voting in our constituencies or in their home areas. It is quite difficult to engage them and there are limited opportunities to make contact.

Very few 16 or 17-year-olds come to see me at my surgeries. I enjoy meeting them in schools—I know that all hon. Members make big efforts to go to see them in schools—but feel that I see less of them than I should. If 16 and 17-year-olds had the vote, we would have the opportunity to reach them in school—as my hon. Friend said, while they are still at home, they have a stable address and it is easy to reach them—and get them into the habit of voting.

It is a sad fact, but if we do not engage young people early, they rarely pick up the habit of voting later in life. The exclusion of 16 and 17-year-olds is fuelling the disengagement of 18 to 24-year-olds. The longer young people are denied involvement in the formal democratic process, the less chance there is of engaging them ever.

Mr. Stewart Jackson: The hon. Lady is making a strong case, although I am slightly cynical about the comparison with the suffragettes. If people cannot be bothered to fill in a form, we are hardly talking about a great campaign or crusade. May I also suggest that the point that she has just made has been made in something of a vacuum? Societal changes mean that young people are probably taking a much more transactional approach to what politics and politicians can do for them. Forty years ago, the No. 1 determinant of whether someone voted and who they voted for was how their father voted. The age of deference is now gone and people are a lot more willing to consider different options. If they do not choose to vote, that is not necessarily a bad thing. The hon. Lady has not really taken into account those changes in society, which are generally for the good.

Julie Morgan: I think that the changes in society mean that more young people are looking to vote.

One thing that makes the situation more difficult is that young people are sometimes denied democratic participation in a general election until they are 23. Research has shown that the closer to a general election a person's 18th birthday falls, the more likely they are to vote. People who become 18 in the year leading up to a general election are significantly more likely to vote than those who turn 18 in the year after an election and have to wait another five years. Although lowering the voting age cannot get rid of the lottery of birthdays, it would ensure that a person's first engagement with parliamentary democracy would happen by the time they were 21.

Mr. Harper: Will the hon. Lady give way?

Julie Morgan: I would like to make some progress before I give way again.

The ability to vote at 16 would bring a relevance and practical application to citizenship education. It would allow us to catch young people at a time in their lives when voter education could be provided for them. Votes at 16 would give young people the experience of voting by 21. Once familiar with the process, they would be much more likely to continue voting for life. Lowering the voting age would not only be good for young people, but would be good for UK democracy as a whole. It would redress the balance of power towards younger people and would be an investment in the health of democracy and the future, by engaging young people in voting for life.

A bold act such as lowering the voting age would also be an act befitting this Parliament. As one of the oldest and most respected Parliaments in the world, we have set the pace in the delivery of democracy. When the UK lowered the voting age to 18 in 1969, France, Italy, Canada, Australia and the USA quickly followed. Although we would certainly be seen as progressive if we lowered the voting age to 16, we would not be the first country to do it. Last year, Austria became the first EU state to reduce the voting age to 16 for all elections, and that also applies in five of the 16 German Länder.

Closer to home, as my hon. Friend the Member for North Durham (Mr. Jones) said, the Isle of Man, Jersey and Guernsey have all adopted a voting age of 16. At that time, the Speaker of the House of Keys of the Isle of Man, Steve Rodan, expressed a view that demonstrates a laudable attitude to the subject. His view was simple:

> "It may be that only a few 16 and 17-year-olds will want to vote...But if we can get even a small number engaged at an early age it could lead to a lifetime's active interest in politics."

I want to associate myself with his words and to associate the House with such a progressive measure.

We have held debates in the House on the voting age before. I have looked into the numbers, and at one time or another nearly 200 Members have voted for the measure or signed early-day motions in support of it. However, we now have the opportunity to press for serious consideration of votes at 16. Last summer's

Green Paper, "The Governance of Britain", set the tone of the debate this year. It spoke of the need to reinvigorate democracy, to put power in the hands of Parliament and the people, and to make a commitment to consider lowering the voting age. The Government are therefore actively considering lowering the voting age.

Since then, a youth citizens commission has been announced, under Professor Jonathan Tonge, to consult widely on the issue. I welcome those measures and have brought my Bill to the House to focus attention on the process. When the Minister responds to the debate, I hope that he will give us more details about the youth citizens commission, how young people are involved in it, whether it has begun its consultation and what the timetable for reporting will be. This is therefore a timely debate, because a body has been set up to look into the very issue that we are discussing. I hope that that body will listen to the voices of the many young people who speak so eloquently and strongly about the subject.

Mr. Love: I agree with my hon. Friend about the importance of the commission. It will also be important that Members of Parliament, as the representatives of young people from the age of 18 onwards, and potentially from the age of 16 onwards, should be involved in the process, so I hope that the Minister will say how we can contribute.

Julie Morgan: I thank my hon. Friend for that important point. I hope that the Minister will be able to give us full details about the commission when he responds. It is important that he should be aware that many young people are interested in what the commission will produce. I hope that he is also aware of the hopes and expectations of the many youth organisations that are listening to this debate today and waiting to see what the Government are going to do.

I want to pay tribute to the Electoral Reform Society, which has helped me to organise meetings with young people and to prepare for this debate. The organisations that work with young people are directly informed by what young people feel, and there is therefore great strength in what they say.

Now is the time to invest in young people. We in this House of Parliament need to think in a bold way, and to think about what we can do that will really change the way in which our democracy works. Now is the time to legislate with our young people, rather than for them, to give them a stake in our community and society, and to equip them with the skills and self-belief that will allow them to take control of their own lives and decisions. Now is the time to ask them to be full citizens and to trust them with the rights that such citizens are owed.

10.31 am

Mr. Mark Harper (Forest of Dean) (Con): I congratulate the hon. Member for Cardiff, North (Julie Morgan) on securing such a high place in the ballot for private Members' Bills, although I am afraid that I cannot be quite so complimentary about her choice of subject. She made several references to sending out messages and signals, but that is not what we are involved in here today. We are involved in considering changing the law and passing legislation, and we need to do that incredibly carefully. When the House changes the law, it needs to be sure that the change will have good consequences and that there is plenty of evidence to support it. Although the hon. Lady's speech contained lots of assertions, I did not hear a lot of detailed evidence to back them up.

Parliament has already had the opportunity to consider this matter. On 29 November 2005, the hon. Member for Bristol, West (Stephen Williams)—he is in his place today and I am sure he will seek to catch your eye, Mr. Deputy Speaker—introduced his ten-minute Bill, the Representation of the People (Reduction of Voting Age) Bill. He obviously had less time to make his points, but his case was similar to that put forward today by the hon. Member for Cardiff, North. He mentioned the fact that, at 16, people could join the armed forces, leave school and pay taxes. He also mentioned cigarette manufacturing and addictive habits. He said that the manufacturers believed that if they could get people to take up smoking at 16, those people would be addicted for many years. The hon. Lady seems to be advancing a similar argument, in saying that if we can get people hooked on voting at 16, they will carry on doing it. The reason that I mention that is that the Government have decided that 16-year-olds are not old enough to make a decision about buying cigarettes, and that they need to be 18 before they can do so.

Stephen Williams (Bristol, West) (LD): Perhaps the hon. Gentleman needs to distinguish between a good habit and a bad habit. That is the point that I was making on 29 November 2005, which was also the day on which we had the Second Reading of the Health Bill that went on to ban smoking in public places and subsequently to raise from 16 to 18 the age at which a person can purchase cigarettes.

Mr. Harper: The hon. Gentleman is absolutely right. Voting is indeed a very good habit, and smoking is a very bad one. The point that I was making was that if the Government—and, I suspect, the hon. Member for Cardiff, North—do not believe that a 16-year-old is capable of deciding whether to purchase a packet of cigarettes, I do not see how they can simultaneously believe that such a person is able to make a decision about who should govern their country.

Sandra Gidley (Romsey) (LD): I am a little worried by the example that the hon. Gentleman has just given. Young people often start smoking illegally at a much earlier age, but I am not aware of anyone voting illegally under the age of 18. I do not think that his analogy was terribly helpful.

Mr. Harper: I am very grateful to the hon. Lady for raising that point, because sadly there have been many examples of illegal voting by people who are not entitled to vote; they vote early and they vote often. Perhaps that was not the strongest argument that she could have made in favour of the Bill.

Mr. Greg Knight (East Yorkshire) (Con): I notice with some regret that there is not a Law Officer in the House today, but perhaps my hon. Friend can help me. Is he aware of anything in the Bill that offends or breaches our commitment to that ridiculous, one-size-must-fit-all organisation, the European Union?

Mr. Harper: I am grateful to my right hon. Friend for that intervention. We might not have a Law Officer in the House, but we have the Minister of State, Ministry of Justice, the hon. Member for North Swindon (Mr. Wills), and I am sure that he will dwell on these matters later. My right hon. Friend will be pleased to know that, in relation to international matters, I shall be talking later about the United Nations convention on the rights of the child. Perhaps he will want to intervene on me again at that point.

Alistair Burt: Before we leave the subject of the UN convention on the rights of the child, may I point out that the hon. Member for Cardiff, North (Julie Morgan) suggested that the right to vote was among the human rights of 16 to 18-year-olds? She spoke of the pain of those who are unable to vote until they are 23 because a general election has not come along. Does my hon. Friend agree that we all share the pain of the many millions of people who would like to vote in a general election very soon? Does he think that the hon. Lady might join our call to have a general election as soon as possible in order to relieve the pain not only of young people but of many others?

Mr. Harper: I am grateful to my hon. Friend for making that excellent point. Indeed, people have started coming to my constituency office to ensure that they are following the correct procedures to get on to the electoral register, because they are so determined to have an opportunity to vote against this appalling, failing Labour Government. An immediate general election would ensure that all those who are 18 at the moment would be able to exercise their right to vote. I am fairly confident—

Harry Cohen (Leyton and Wanstead) (Lab): If the hon. Gentleman is so confident, why will he not give 16 and 17-year-olds the vote?

Mr. Harper: I am sort of grateful to the hon. Gentleman for that intervention. If he listens to my remarks a little later, he will hear me set out why I do not believe that we should do so. I listen carefully to the views of 16 and 17-year-olds—and, indeed, of much younger children—when I visit schools in my constituency, as I am sure all hon. Members do. However, that does not mean that I think that children should be given the right to vote. I believe that that right should come along when we decide that they are adults.

Mr. Kevan Jones: Does the hon. Gentleman agree that one of the weakest arguments for votes for 16-year-olds is that it would somehow increase turnout? The Electoral Commission report states clearly that turnout would actually go down if we were to give 16 and 17-year-olds the vote.

Mr. Harper: The hon. Gentleman is absolutely right. The turnout argument is a very weak one; it is not at all convincing. Furthermore, it is not the right argument. The decision to reduce the voting age should be taken on its merits, and arguments in favour of doing it to increase turnout are rather specious. As the hon. Member for Edmonton (Mr. Love) said earlier, if we followed that argument to its logical conclusion, we could go around the electorate picking off groups of people who did not use their vote and taking it away from them. That would clearly be nonsensical. Similarly, the turnout argument is not a powerful one.

I was talking about the case outlined by the hon. Member for Bristol, West. One of his arguments concerned the case being made in the 19th and 20th centuries for the right of women to vote. The hon. Member for Cardiff, North also made that point. I think that I demonstrated in my intervention that that argument was nonsense. It was clearly right to give the vote to women, but that was because, if we had not done so, they would never have had an opportunity to vote. The whole point about children and young people is that, even though they do not have the right to vote now, they will have that right later.

Jo Swinson: Will the hon. Gentleman therefore tell us how he would have voted 80 years ago in the vote to extend the franchise to women under the age of 30? According to his rationale, there would have been no need to do that, because when those women reached the age of 30, they would have been allowed to vote anyway.

Mr. Harper: I was not around 80 years ago, and neither was the hon. Lady. Indeed, looking around the Chamber, I cannot see a single Member who would have been around that long ago, thank goodness. The former leader of the Liberal Democrats is not here today; he might be an exception.

Mr. Kevan Jones: Does the hon. Gentleman agree that the issue at that time was not just age? Other conditions were attached to women's votes, including the requirement for them to be married.

Mr. Harper: That is absolutely true. I would have been very relaxed about reducing the voting age to the age of majority; however, in the past the argument was not merely about the voting age but about the age at which people could do a number of other things. It is broadly accepted, although there are discrepancies, which I shall mention later, that people stop being children and become adults at the age of 18, and I think we should stick to that line; otherwise there will be no logical reason for setting the voting age at 16. Once it ceased to be associated with becoming an adult, there would be no logical argument against giving the vote to 14-year-olds, 12-year-olds or 10-year-olds.

I am sure that if we were to reduce the voting age to 16, the age that has been chosen on this occasion, a campaign would be launched by politically aware 14-year-olds, and there would be no logical reason to say no to them. At present, however, it is clear that we connect voting with becoming an adult, and I think that that is how things should stay.

Mr. Greg Knight: Does my hon. Friend accept that a cogent argument for allowing 16-year-olds to vote is that that is the school leaving age? Does he also accept that most 16-year-olds have the mental capacity to vote? The problem lies in the fact that many of them have not been educated at school about our democratic system. It is a problem of education, rather than of the mental incapacity or immaturity of a 16-year-old.

Mr. Harper: That is a good point. One of the arguments advanced by those in favour of this case involves citizenship education. Later in my speech, I shall refer to what the Electoral Commission said about evidence relating to the quality of such education. I shall also give examples from countries such as the United States, where civics has been taught for many years and where reducing the voting age to below 18 is not advocated.

The hon. Member for Bristol, West drew attention to early-day motion 801, tabled in an earlier parliamentary Session and supported by 90 Members. As I said earlier, the hon. Member for Cardiff, North did an even better job by securing 111 signatures to her early-day motion. Those 111 Members expressed the belief that this was an important matter and that lowering the voting age could play a huge role in helping young people to feel more connected, and they explicitly supported the Bill, but I see precious few of them here today. According to my hon. Friend the Member for Christchurch (Mr. Chope), the Youth Parliament rated the issue as fifth out of six in terms of importance. Of the 111 Members who supported the hon. Lady's early-day motion, very few thought it worth taking the trouble to come to the House today to support the Bill.

Mr. Stewart Jackson: My hon. Friend may have noticed that the hon. Member for Cardiff, North (Julie Morgan) omitted to provide the factual evidence for which I asked in my first intervention. I asked whether any opinion polling of 16 to 18-year-olds had ever produced the finding that voting at 16 was the No. 1 issue of voting-related salience for that cohort, as opposed to other issues that are replicated across the older voting population. I suspect that my hon. Friend will tell me that the answer to that question is no.

Mr. Harper: Certainly I encountered no such evidence when conducting my research for the debate, but I am sure that if there is any out there, the hon. Lady will intervene.

Julie Morgan: I do not know whether the hon. Gentleman remembers that in my speech I mentioned research conducted by a young people's organisation in Wales called Funky Dragon, and the fact that this emerged as the top campaigning issue for members of the age group that we are discussing.

Mr. Harper: How could anyone forget the name of an organisation called Funky Dragon? It is certainly doing a great job in terms of name recognition. I think, however, that my hon. Friend the Member for Peterborough (Mr. Jackson) was asking whether there was any evidence across the United Kingdom. The Bill covers England, Wales, Scotland and Northern Ireland, and I do not think that there is any opinion polling evidence from across the United Kingdom.

Mr. Love: In the course of his researches, did the hon. Gentleman find any evidence that at the time when reducing the voting age from 21 to 18 was under consideration, that was the No. 1 priority in the age group concerned? That is a silly argument. As he said, we must look at the merits of the argument for reducing the voting age to 16.

Mr. Harper: Later in my speech I shall indeed look at the merits of the argument, and I shall be happy to give way to the hon. Gentleman then if he wishes to intervene.

Lynne Jones: Is the hon. Gentleman suggesting that young people in Wales are atypical, and not representative of young people in the rest of the United Kingdom?

Mr. Harper: Representing a border constituency as I do—the Forest of Dean shares a border with the great country of Wales, with which we have some interesting local relationships—I am not sure whether young people in Wales are atypical. I suspect that they are not, but as there has been no opinion polling across the United Kingdom, the question will have to be considered another day.

Mr. Kevan Jones: As the hon. Gentleman and other Members know, nowadays many of our constituents are not shy in coming forward to give us their views on certain subjects. The top issue in my postbag and e-mails this morning was saving the whale, followed by bearskins and clubbing seals to death. How many letters, e-mails or postcards has he received from his constituents on reducing the voting age?

Mr. Harper: I hope that the people who are writing to the hon. Gentleman about clubbing seals are not expressing support for the practice.

I think I have received two letters on this subject from constituents. I represent 67,000 adults, and 80,000 or 90,000 people altogether. That does not suggest that the issue is at the top of anyone's list of priorities, whether they are under or over 18.

Mr. Jones: I assume that, like me, the hon. Gentleman visits secondary schools in his constituency, and speaks to people in the age group that we are discussing. Have any of them ever raised this issue?

Mr. Harper: I shall mention later what I do in my constituency, but like other Members I visit not just secondary schools but primary schools, as well as youth groups and all manner of organisations involving young people. I do not recall any of them raising this issue. Although young people raise a range of political issues and express views about a number of matters affecting both our country and our planet, this is not the issue with which I am battered by people in any age group, particularly the young.

Harry Cohen: Surely the hon. Gentleman accepts that many 16 to 18-year-olds, like the rest of the population, are at various times cynical or disillusioned about politics and politicians. What if there were a close general election in this country, like the last two elections in the United States? Does he not think that 16 to 18-year-olds would be keen to participate in such circumstances, and perhaps to tilt the government of the country? Far from being disillusioned, would they not feel cheated if they were not able to take part?

Mr. Harper: I certainly think that the next general election will be very competitive and interesting, and will stir people on all sides of the argument to take part. The turnout in this year's mayoral election was significantly higher than last time—it was, of course, won by my former hon. Friend the Member for Henley, Boris Johnson—and the turnout in the local elections was reasonably promising. I think that that bodes quite well. As for young people being cynical and disillusioned,

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that is not my experience. I find that young people are very hopeful about the future and keen to convey their points of view, and that they campaign in a range of ways. What they require from us is that we listen to them. I shall expand a little later on the point that my hon. Friend the Member for North-East Bedfordshire (Alistair Burt) made about our listening to young people and about that point not necessarily being connected with their having the vote specifically at this time.

Mr. Evans: I think that some young people do get disillusioned by politicians, but we give them good reason with some of our antics, such as promising people a referendum on the Lisbon treaty and then withdrawing that promise and pretending that the treaty is something different. People are rightly cynical about some of our antics.

The hon. Member for Leyton and Wanstead (Harry Cohen) spoke about people who would be interested in politics being cheated. Let us consider the example of somebody who happens to be 17 years, 11 months and three weeks old—almost 18—at the time of a general election. Such a person has clearly failed to reach the relevant age, but they will feel cheated because with another four days they would have been able to vote. The reality is that we need to have a cut-off time. If we used 16 as that point, someone who was one day short of being 16 would rightly feel cheated too. We need a line or a barrier at some stage, and some people will fall past it and others will fall the other way.

Mr. Harper: My hon. Friend makes a good point; indeed, I drew attention to it earlier when I said that once we separate the voting age from the age at which someone becomes an adult, there is no logical place to stop the process.

I think that the hon. Member for Cardiff, North said in her excellent speech that changing the voting age would not get rid of the lottery of birthdays, or the birthday lottery, and that is exactly the case. Wherever we set the line, someone will always fall the other side of it and remain disappointed that they were not able to take part in the general election. I do not think that there is any way around that, and I do not think that this argument is taking us any further forward.

Mr. Greg Knight: I hesitate to say what I am about to say, because I have great respect for my hon. Friend, but would he not accept, on reflection, that the argument he was making before that last intervention about the lack of perceived demand among 16-year-olds was a fairly weak one? Are we here just to follow public opinion, or are we here to give leadership and to make a change where we think it should be made?

Mr. Harper: My right hon. Friend is absolutely right, but I am arguing against this change because I do not think it is the right one to make. It is useful to be aware of what the general public think and what 16 to 18-year-olds think to ensure that we are building that into our thought processes, but we should be arguing this on the merits of the case. Even if the majority of 16 to 18-year-olds or indeed the majority of people in the country thought that the proposal was the right change to make and I felt it was the wrong one, it would be my job to stand up and argue, both in this House and outside, that I felt it was wrong and to try, by the power of argument, to persuade those people to change their minds.

Lynne Featherstone (Hornsey and Wood Green) (LD): Given that the hon. Gentleman is against this proposal, what is the nub of his belief that young people should not have the vote? What it is about 16 and 17-year-olds that he thinks makes them incapable or not worthy of having the vote?

Mr. Harper: The hon. Lady tries to put words into my mouth, and I am not going to allow them to remain there. Her making that comment gives me a good opportunity to dwell for a moment on the language. As I have mentioned once or twice, when we talk about those who are younger than 18 we are actually talking about children; we are not talking about young people. Everyone has been in favour of that approach, apart from one occasion. I think that the hon. Member for Cardiff, North used the words "young people". We are actually talking about the difference between being a child and being an adult. Clearly there is a gradation in people's experience, maturity and ability to make decisions, but the law must set a point. There has to be a point at which we decide that people who are able to take certain decisions will not take those decisions. The law in this country broadly says that someone becomes an adult when they are 18, and with that comes a range of responsibilities. Other age limits are set for things, and I shall go through them later in remarks—if I am ever allowed to get there.

By saying that someone becomes an adult at 18 and someone below that age is a child, we are not, in any sense, disparaging children; we are simply saying that a line has to be drawn. Let us follow the hon. Lady's argument to its logical conclusion. If we were to move the line for voting to 16, would we not implicitly be saying that there was something not worthy or not appropriate about 14 and 15-year-olds voting? There would be no logical reason not just to drop the voting age all the way down to zero. The fact is that there must be a line somewhere, and wherever it is drawn there will be people on the wrong side of it who have the maturity to take such a decision. The right place for that line to stay is at 18.

Lynne Featherstone: Does the hon. Gentleman accept that despite the age of majority being 18, a range of things are permitted and possible at 16? All hon. Members have rehearsed the arguments about marriage, sexuality, taxation and so on, so it is specious to say that 18 is finite and that below that age young people are not capable of a certain range of things. Those that are harmful we have a responsibility to prohibit for longer, but those that are non-harmful, such as voting, should be allowed.

Mr. Harper: That intervention raises two points. Voting, in itself, is a good thing for people to do, but the consequences of the choices that they make could be good or bad. The whole point about setting a voting age is that we want people to be sufficiently confident to take those decisions, so that they are fully aware of the consequences. Voting the wrong way—voting in a way that leads to a bad outcome—could be worrying; someone could vote for a Government who made some very bad decisions, as I would argue is the case with this Government. Voting in itself is a good thing, but its consequences can be very bad. That is why we must ensure that people who vote are of an age at which they are exercise that decision.

Lynne Featherstone: Is the hon. Gentleman therefore saying that young people should not be given the vote in case they make a wrong decision? What, in his view, is a wrong decision?

Mr. Harper: I was simply saying that one must draw a line somewhere, and that does not mean that one is, in any sense, making a negative comment about people who are younger. The hon. Lady made the point that there are a number of age limits for a range of activities in our law, and I shall discuss some of them later. The argument is not a strong one, because we allow people to do some things at much younger ages; indeed, the age of criminal responsibility—the age at which we say people are able to be held criminally responsible for their actions—is 10. If we were to follow her logic, we might reduce the voting age to 10, and not many people in the country would think that a wise idea, although she might.

Lynne Featherstone: Is that not simply an argument to say that each thing should be argued on its own merits and that it is horses for courses, and that when we are talking about voting, that is the only thing that we should be discussing in relation to the age of 16?

Mr. Harper: That argument might hold water if it were not for the fact that part of the main argument of those proposing this change—the hon. Members for Cardiff, North and for Bristol, West—is that one can join the Army, get married or do a bunch of other things at 16. One of the core arguments of their case is that one can do a load of other things at 16, so one should be allowed to vote too. I think that the hon. Member for Hornsey and Wood Green (Lynne Featherstone) shoots down not only her case, but the case of some of her hon. Friends in the arguments that she just made.

Mr. Stewart Jackson: My hon. Friend needs to exercise a degree of scepticism about the comments made from the Liberal Democrat Benches. I believe that it is still Liberal Democrat policy to allow 16-year-olds to have unfettered access to pornography. They might want to intervene to discuss that. I hope that my hon. Friend agrees that from time to time the House has to make a value judgment—a sanction—about what it is appropriate to allow young people and children to access. We make the value judgments on things such as video certification, access to credit and the purchase of alcohol, and they are enshrined in law. I cannot see why we should suspend that template when we consider making a value judgment on allowing people to exercise their democratic franchise in an election.

Mr. Harper: My hon. Friend makes a good point, to which I shall return later. I shall deal now with one thing that he said. He has rightly made the point—I think that the hon. Member for Hornsey and Wood Green will correct me if I am wrong—that reducing the voting age to 16 is Liberal Democrat party policy.

Stephen Williams *indicated assent.*

Mr. Harper: I am getting some nods, which suggests that I am right. I am therefore astounded that only four Liberal Democrats are in their places—there were not many more in the Lobby earlier—given that we are discussing a Bill that is official Liberal Democrat party policy. Clearly, even they are not very committed to this policy; otherwise the whole party, such as it is, before the next general election, would have been here to support it.

Mark Durkan: The hon. Gentleman and some of his colleagues challenged the hon. Member for Cardiff, North (Julie Morgan) strongly on some of her evidence, including the opinion poll backing for her arguments. What is his evidence for the claim that 16 and 17-year-olds are likely to vote the "wrong way"?

Mr. Harper: As I said to my right hon. Friend the Member for East Yorkshire (Mr. Knight), the opinion poll arguments are not conclusive. I will address later in my remarks some of the work that the Electoral Commission has done and the polling evidence from other organisations. If he is not content with those arguments, I will be happy to give way again.

Mr. Love: One of the least convincing arguments for the importance or validity of a Bill is how many people turn up on a Friday to discuss it, and I think that Members on both sides of the House should avoid it.

There are two aspects to this argument and I would question the hon. Gentleman on both. The first is the need to convince those over 18 who already have the vote that it is sensible to extend it to younger people. The second is the changes that have happened to young people. Society has changed, and that has perhaps affected 16 and 17-year-olds more than any other group in society. A reflection of that is the increasing responsibilities, several of which have already been mentioned, that we give them. Does he accept that although we may not have convinced those who already have the vote, societal change suggests that people now take responsibility at a younger age?

Mr. Harper: I am not sure that I agree. Hon. Members who engage in argument with young people in schools, as I do, would agree that many of them take an interest in the world around them, and tools such as the internet help them to find out easily what is happening. However, it is not so long ago that most young people left school at 16 or, going further back, 15. Now young people stay on in education and do not have the responsibility of going out and getting a job, or running their own household. Indeed, the age at which young people leave home is rising, not falling, so I do not agree that the age at which they take responsibility for themselves is moving in the direction that the hon. Gentleman suggests.

Mr. Love: I submit that the reason young people are urged to stay on in education is not related to their ability to be responsible or their maturity, but to their needs as individuals and society's need for a better educated work force. I do not buy the hon. Gentleman's other argument. The nub of the argument is whether society is placing greater responsibilities on young people because of their earlier maturity and whether that should be extended to the voting age.

Mr. Harper: There is much concern at the moment that society is actually placing far too much responsibility on young people and forcing them to grow up at an earlier age. Compressing the length of childhood is not necessarily a good idea for children or for society.

Mr. Kevan Jones: Does the hon. Gentleman agree that legislation frequently does not reduce the age at which people can do things, but increases it? Two examples are cigarettes and air rifles.

Mr. Harper: The hon. Gentleman is spot on. This House, and specifically the party to which the hon. Member for Cardiff, North belongs, has been increasing the age at which young people are able to take decisions, not reducing it. This Bill suggests that we should move in the opposite direction to the trend of much other Government legislation and policy.

Mr. Chope: Has my hon. Friend done any analysis of the link between the supporters of the Bill and hon. Members who argue that we should raise from 17 to 18 the age at which young people may drive?

Mr. Harper: That is an interesting point. That increase would be very damaging in my constituency, because many young people there depend on being able to drive to get about, because public transport is so poor. I have not carried out an exhaustive analysis in that area, but if my hon. Friend casts a brief eye over those who signed the early-day motion and those who voted on the ten-minute Bill introduced by the hon. Member for Bristol, West, he will probably find that some are acting inconsistently.

Mark Durkan: I do not believe that there is any inconsistency in voting to increase the age at which people may drive, which is a public safety issue, or to restrict access to cigarettes, alcohol or firearms. All those things are dangerous. The ballot paper is not. How can Members of Parliament talk about the ballot paper as though it is somehow toxic and people could be a danger to themselves or others by engaging in the most fundamental act of democratic citizenship?

Mr. Harper: That is not a very powerful argument. If we are to say to young people that we do not think that they are sufficiently responsible or competent to take a decision about driving a motor car, using a firearm, consuming alcohol or buying cigarettes, it would be extraordinary to say at the same time that we think that they are mature enough to make a decision about the future of our country and about people who might deploy our armed forces. We know how the Liberal Democrats feel about the decisions made by the Government about committing our armed forces. Those are important and serious decisions, and I cannot see how it would be wise to say that a young person under 18 could not consume alcohol but could vote for a Government who could authorise the use of force in an armed conflict. That is completely inconsistent.

Mark Durkan: When it comes to voting, a young person has a fixed, limited number of choices. There is no question of binge voting. It is a simple act, and it is not like the other behaviours that people are worried about. Young people cannot vote to excess or put themselves or others at risk by doing it. Voting is a very controlled act.

Mr. Harper: The argument comes down to the choices that people make. Young people are capable of deciding to consume alcohol sensibly, but far too many make a poor job of that choice and consume it to excess. That is why the law says that they cannot purchase alcohol until they are 18. I do not follow the hon. Gentleman's logic.

Alistair Burt: Does my hon. Friend agree that while the dangers of a vote may not be immediately apparent, they are real? One of the reasons the Labour party reneged on its pledge to offer a referendum on the Lisbon treaty was its fear of the result of that vote. Votes can be dangerous in some cases; otherwise the Government might have honoured the pledge that they made to the British people and allowed that vote.

Mr. Harper: My hon. Friend is absolutely right: it is indeed the case that Government Members, or at least those of them who take the decisions, clearly feared the outcome of such a vote; otherwise they would have allowed the British people to have the vote that they promised at the last general election. My hon. Friend is absolutely spot on.

Mr. Kevan Jones: I am not sure what experience my hon. Friend the Member for Foyle (Mark Durkan) has in binge voting at elections, but does the hon. Member for Forest of Dean (Mr. Harper) agree that, if we were to reduce the voting age to 16 and increase the number of things that people could do at 16—he refers to driving—a lot of disenchanted 16-year-olds would be voting?

Mr. Harper: The hon. Gentleman makes a powerful point. Indeed, Members who support the measure might be making a rod for their own back. If they lowered the voting age, they might find that an enormous number of young people came to batter down their doors to suggest that the age limits for many other things should be lowered. That may be an interesting consequence, which they may not have properly thought through.

Mr. Stewart Jackson: I am sure that my hon. Friend will agree that the logical conclusion of the point made by the hon. Member for Cardiff, North (Julie Morgan) that civic duty means that people wish to take part in the system is that we should introduce a private Member's Bill to extend the age at which people can serve on juries. The accumulated wisdom, knowledge and experience of those people is disregarded after the age of 70. Those people wish to exercise that civic duty, but they cannot do so. I am sure that my hon. Friend will agree that, at some stage, we must take an arbitrary decision—a value judgment—on the suitability of those of certain ages to participate in civic duties. In this case, the hon. Lady is disregarding that factor.

Mr. Harper: My hon. Friend makes an interesting point about age limits at the other end of the spectrum—he has highlighted an example—where we prohibit older citizens from doing things, when perhaps they are of the age and have the experience to do them.

The Minister of State, Ministry of Justice (Mr. Michael Wills): I do not want to interrupt the flow of the hon. Gentleman's argument, but does he agree that the very nature of our representative democracy lies at the heart of the debate. I wonder whether those hon. Members who talk about the Lisbon treaty and a referendum in a rather blithe and loose way would agree that it is at least an important matter of principle that the referendum mechanism is used extremely sparingly. We have a system of representative democracy in this country, so we should use the referendum mechanism sparingly, and the precise times when it should be applied are very important. Perhaps instead of making such references lightly, I wonder whether he would agree that he should be much more precise about how the decision on the referendum on the Lisbon treaty was actually taken.

Mr. Deputy Speaker: Order. Before the hon. Gentleman gets tempted down that route, I would discourage him very strongly from discussing the pros and cons of referendums at any length.

Mr. Harper *rose—*

Mr. Harper: I am very grateful for your injunction, Mr. Deputy Speaker. I notice that you said, "at any length", so may I deal with that point briefly? The Minister would be right, except of course for the fact that the Government promised such a referendum in our parliamentary democracy. Of course, if they had not promised one, it would have been perfectly in order for the House to have taken the decision. However, following your injunction, Mr. Deputy Speaker, I will move on.

Lynne Jones: On the point about at which age people can start to do new things, one of the reasons I support the Bill is that 16 to 18-year-olds are naturally interested in trying out new things. Once they do, they often get into the habit of engaging in those things. Voting is a very commendable habit to get into, whereas perhaps smoking and drinking to excess are not such commendable habits.

Mr. Harper: The hon. Lady will not tempt me down the path of discussing which activities young people get up to they then develop a habit for, which they do not and which are preferable and which are not. I will try to stick more closely to my arguments.

Lynne Featherstone: At the other end of the scale, the hon. Gentleman referred to which civic duties older citizens can and cannot do. I do not believe that we take away the vote from those who exceed 60 years.

Mr. Harper: No. Quite right; we do not and we should not, but my hon. Friend the Member for Peterborough referred to at least one civic duty—serving on juries—that we take away from people who have accumulated a lifetime's experience. I do not want to get drawn into too much detail about that end of the age spectrum, but such examples make the point that the House and Parliament in general make laws about age cut-offs, which are always unfortunate for those who fall on the wrong side of them. That said, we need cut-offs at some point.

Moving on briefly, so that I can at least turn one more page of my speech, when I spoke against the ten-minute Bill introduced by the hon. Member for Bristol, West—to pick up the point made by the hon. Member for Cardiff, North about the younger people's views—I drew attention to the fact that, at Speech house in my constituency, which is the home of debate in Forest of Dean, we had a debate in 2005, during democracy week, when a number of local sixth-formers met in the Verderer's court, which is an historic home of debate in the forest. The Royal Forest of Dean college, Wyedean school and Newent community schools sent students to debate exactly this issue. It was interesting that, when they took a vote afterwards, even in an audience made up entirely of 16 to 18-year-olds there was a 50:50 split. So even among the target age group, there is not a clear view that they want such a change. Indeed, powerful arguments were advanced by those students to explain that they did not want that change for some of the reasons that have been adduced so far this morning and for those that I am sure will be referred to later. It is interesting that even those who would benefit from the proposal do not think it right that the voting age should be changed.

Mark Durkan: Does the hon. Gentleman not take from the evidence that he has presented some reassurance that the risk of young people voting the wrong way is nothing like he suggested earlier?

Mr. Harper: That may or may not be the point, but it is not really the crux of my argument, which is that voting should be tied to becoming an adult. That age should be set at 18. As soon as that link is shifted and broken, there is no logical age on which to settle. The age of 16 would then just be a staging post. Certainly, the opinion polling evidence that I will quote later shows that most people in this country think that the voting age should stay at 18.

To conclude the first part of my remarks about the debate on the ten-minute Bill, it is worth reminding the House of the decision that Parliament took when that matter was pressed to a Division by the late Eric Forth and me. The House divided Ayes 128, and Noes 136. The House therefore made a decision, albeit not an overwhelming one, but it was a decision reached when rather more Members were present than are today, to make it clear that it did not want to make the change.

Just as an aside, I was grateful on that occasion that my friend the late Eric Forth—he and I were both Tellers—gave me the opportunity at a relatively early stage in my career to be a Conservative Teller who got to read out the winning result in a vote, which is something that, sadly, many Opposition Members have not had the opportunity to do since 1997. Perhaps we may be a little closer to having the opportunity to do so somewhat more frequently in the future.

I was confirmed in the rightness of my decision by the right hon. Member for Ross, Skye and Lochaber (Mr. Kennedy)—I beg forgiveness from any Scot if I pronounced that constituency slightly incorrectly—who was the then leader of the Liberal Democrats and was sitting in the position now occupied by the Liberal Democrat Front-Bench spokesman. As I walked past to deliver the vote, I heard him say from a sedentary position that the dark forces of conservatism had struck again. At that moment, I knew that I had done exactly the right thing.

[Mr. Harper]

As I have outlined what happened the last time that the House discussed this matter, it is probably worth just going through, to the extent that we have not done so already in the nature of that exchange, some of the arguments that are adduced by those who want to support the Bill and to reduce the age for voting and then summarise some of the arguments that have not yet been mentioned by those who are against doing so. The early-day motion—I think that the hon. Member for Cardiff, North mentioned it—cited that the most prominent argument for giving the right to vote to 16-year-olds is

> "reconnecting the generation of young people with politics and democracy in the UK."

That was one of the 20 proposals that the Liberal Democrats included in the paper, "Real Democracy in Britain", which they published in July last year, allegedly to strengthen Britain's democracy by reducing the voting age. Most of the arguments made in support of that point have been covered briefly this morning; they are about being able to join the armed forces, get married, legally have sex, leave education and pay tax. It was argued that because 16-year-olds could do all those things legally, they were capable of making rational, responsible choices and should therefore be able to vote. A little later, I will consider some of those arguments in detail and demonstrate why those rights, which people gain at 16, are qualified, and why the case is not as the proponents have argued.

Harry Cohen: The hon. Gentleman has made it clear that he thinks that people under 18 are children; he has called them that on a couple of occasions in his speech. Does he think that no one should have sex until the age of 18?

Mr. Harper: We are being very picky. Let me bring in the UN convention on the rights of the child, which was proposed and drafted by UNICEF and has been ratified by the United Kingdom. It says that

> "a child means every human being below the age of eighteen years".

UNICEF says:

> "In 1989, world leaders decided that children"—

that is the word used—

> "needed a special convention just for them because people under 18 years old often need special care and protection that adults do not."

When I was talking about language earlier with the hon. Member for Hornsey and Wood Green, the Liberal Democrat Front Bencher, I said that it is not pejorative to call someone a child, not an adult. We call people below the age of 18 children and give them a different legal status until they become an adult. It is not a pejorative term; it is simply a matter of fact.

Mr. Kevan Jones: Does the hon. Gentleman agree that the definition to which he referred is also used by those who argue that people should not be allowed to join the armed forces before they are 18, such as the Liberal Democrats?

Mr. Harper: Yes, absolutely. Later I shall draw attention to the fact that when under-18s join the armed forces, not only is their decision to join qualified, but—the hon. Gentleman will know this well, as he served on the Committee considering the Armed Forces Act 2006—there is a comprehensive set of guidance for military commanders on the special duty of care that they owe to soldiers, and members of the other armed forces, under 18 who are under their command.

Mark Durkan: Are they therefore child soldiers?

Mr. Harper: We have made it very clear that in our system, although under-18s can join the armed forces, we will not deploy them in armed conflict until they are 18. We have drawn that distinction, and I think that the Government got that policy right; I support it. As the hon. Member for North Durham (Mr. Jones) said, it is seems extraordinary that the Liberal Democrats think that a 16-year-old should not be able to join the armed forces, but should be able to vote for people who can authorise the use of armed force around the world. That seems incredibly inconsistent. If one is to allow people to vote—to make the decision to use armed force—surely one should let them join the armed forces. Liberal Democrat policy on that is hopelessly inconsistent.

Mr. Love: On the hon. Gentleman's last remark, young people can take the decision to join the armed forces at 16. Young people who do so today will be aware, at the age of 16, that they may be sent to Afghanistan or Iraq as a consequence of that decision taken at the age of 16, although their going may be delayed until they are 18. I want to come back to the issue of the UN convention that he quoted. Of course, that was written in 1989, and I am the first to accept that the consensus at the time is reflected in that convention, but we have moved on. I come back to the nub of the argument, which I hope that he will address: we must look at those things that only happen at the age of 18 and over, and those that happen at the age of 16. I submit to him that more responsibility is being placed on young people at the age of 16. If that is the way in which society is moving, we have to recognise it, regardless of whether he wishes society to move in that direction or not. The consequence of that is the Bill.

Mr. Harper: We covered that point earlier. I and other Members gave some examples of ways in which the House is moving in the opposite direction. The hon. Gentleman says that under-18s are being given more responsibility, but I would be grateful if he intervened on me to give examples of what he means. Perhaps he might do so in his speech, if he is lucky enough to catch your eye later, Mr. Deputy Speaker.

Mark Durkan: The hon. Gentleman has quoted the UN convention, which says that everyone under 18 is a child. He is aware that some people use that argument to suggest that the age of criminal responsibility should be raised to 18. In the debate on whether to have a Bill of Rights in Northern Ireland, many people have made that point. I do not believe that that age should be raised to 18, and I do not think that he does, either, so why is he relying, in such absolute terms, on that argument?

Mr. Harper: I am not; I was simply using the UN convention to demonstrate that when I refer to people under 18 as children, I am not in any sense using a pejorative term. I am simply citing a matter of fact. I was told by the hon. Member for Leyton and Wanstead that by calling them children I was in some way being derogatory, and that is just not the case.

Mr. Stewart Jackson: Does my hon. Friend agree that Labour Members are obscuring the fact—not deliberately, I am sure—that the age of consent is not the age of adulthood? There is an interregnum between the age below which society must provide some protection, particularly from sexual exploitation—it has to set an arbitrary age for that, which is 16—and adulthood. In a sense, there is an opaque area between 16 and 18—between the age below which the law protects children, and full adulthood, with its citizenship obligations.

Mr. Harper: My hon. Friend makes a good point, and I look forward to his elaborating on that point later, if he catches your eye, Mr. Deputy Speaker.

Another argument has been made by those who support the Bill, which the hon. Member for Cardiff, North dwelt on at some length in her opening speech. She suggested that if we did not give young people, meaning 16 and 17-year-olds, the vote, it meant that we could not engage with them. My hon. Friend the Member for North-East Bedfordshire dealt with that argument very well. I am sure that I am typical of Members of Parliament, in that I visit primary and secondary schools in my constituency, and a number of youth projects and other organisations that work with children and young people. I am sure that all Members of the House do that in the course of their work. I started off in this job in 2005; I was well aware that it was likely that those aged 13 and upwards would, at the next general election, whenever that comes—the sooner the better, as my hon. Friend the Member for North-East Bedfordshire said—vote on whether they wished me to remain their Member of Parliament.

I think that most Members of Parliament take seriously the requirement that we should visit even those who are much younger, and who are at primary school. We should discuss issues not just with the staff, but with the children. If hon. Members present have ever been grilled and put through the wringer by a school council, even of 10-year-olds, they will know that the council members are good at marshalling their facts and can hold a good debate, but I do not think that they should get the vote—and neither do they. However, if we separate the right to vote from the age of adulthood, we have no logical reason not to give them the vote.

Alistair Burt: I am glad that my hon. Friend has touched on that point. Does he think that there is a danger that the hon. Member for Cardiff, North (Julie Morgan) and others might have been overly influenced in their youth by Mr. Eddie Cochran? In his great song, "Summertime Blues", there is a good line in which a Congressman says,

> "I'd like to help you, son, but you're too young to vote".

That is not a view that would be endorsed by any Member present; we take people extremely seriously at the youngest age, because we know where they are heading, and we know that they have decent views. Perhaps that song has lingered slightly too long in the hon. Lady's mind, and perhaps my hon. Friend the Member for Forest of Dean (Mr. Harper) could set her mind at rest by telling her that we do not take such an attitude.

Mr. Harper: I am grateful to my hon. Friend. I have to confess that I am perhaps too young to remember that song, but I will not dwell on that point. However, my hon. Friend is absolutely right: many of us in this House take very seriously our responsibility as Members of Parliament to engage with young people, and with people of all ages, and to encourage civic responsibility and participation in elections. We also try to conduct ourselves in ways that encourage turnout and participation rather than the opposite. The suggestion that we should not do so because the population is divided into groups of those who can and cannot vote is not one that I would follow. I am sure that most members of the House would not either.

If we followed that argument through, it would mean that we would never listen to constituents who came from groups that were less likely to vote. For example, it would mean that we paid no attention to the views of Jehovah's Witnesses because we know that they will not ever vote in an election. If I have a constituent who I know will not vote in an election, I will still do my damnedest to help them in whatever casework they bring to me and with whatever problem they have. I will take their views very seriously, even though I know that they will not be voting at the next election. The argument is specious.

Mr. Evans: To extend it further, that argument would mean that Members of Parliament would not take any notice of any members of the public who were going to vote against them. That is clearly not the case. We know that thousands of people, unbelievably, vote against us at each general election, but once we are MPs we are committed to represent them all equally, whether they voted for us or not, and whether or not they are under the voting age.

Mr. Harper: My hon. Friend makes a good point. When we are making decisions about legislation, we do not consider only the effect that those laws will have today. It is oft mentioned in this House that Members are making decisions and thinking about future generations when they enact legislation. That shows that MPs from all parties think about those who do not yet have the opportunity to vote when they make decisions.

In the few minutes before I finish my argument, it might be worth reading into the record the views of the former Prime Minister, Tony Blair—I do not know how much they will weigh on Labour Members. We know how much they must wish that they had him back. He made it quite clear that he did not support a reduction in the voting age. He was challenged by the then Liberal Democrat Member for Ludlow, Matthew Green, who raised the same specious arguments. He said:

> "The Prime Minister will know that at 16 young people are considered old enough to marry"—

although there are qualifications—

> "to have children, to pay taxes and to join the armed forces, yet they are not allowed to vote until they are 18. Does he consider that those things are a lesser responsibility than voting? Will he meet me and a group of young people…to discuss reducing the voting age"?

The then Prime Minister replied:

> "I am not sure that we would always want 16-year-olds to do all the things they can do. I am afraid that I do not agree with the hon. Gentleman on the voting age. I think that it should remain as it is."—[*Official Report*, 23 January 2002; Vol. 378, c. 887.]

I hope that that will be a persuasive argument for those Labour Members who think that Tony Blair was a good judge of things, although I do not necessarily share that view.

We have covered most of the issues fairly well.

Mr. Love: I thank the hon. Gentleman for reading out the words of the former Prime Minister. My question relates to the commission that is being set up by the Government to consider the matter, to take a comprehensive view, to ask young people what they think and to resolve some of the differences of opinion between not parties but different Members. Does he see that as a positive move and will he contribute to it? Most importantly, will he accept the recommendations that it makes?

Mr. Harper: I am perfectly content with the Government's proposals to set up a commission, although I would be interested to know how much it will cost taxpayers, hard-pressed as they are at the moment. I am perfectly content if the commission wants to carry out some investigations and I am content to look at its recommendations. I never say that I will take people's recommendations in advance of their being made. One thing that voters of all ages expect MPs to do is to use their judgment and consider the merits of the case and the arguments and evidence from all sources. To say in advance that one will listen to the views of a certain group and follow them regardless is not very wise. The idea of the commission is perfectly sensible, and I am sure that the Minister will outline the remit of the commission and how it will conduct its work. I know that the chairman has been announced, and it will be interesting to see what conclusions it comes up with after consulting widely.

Mr. Kevan Jones: Is the hon. Gentleman, like me, sometimes cynical about reviews? We had the Electoral Commission review in 2003, which said in the conclusion that another review should be carried out within five to seven years. However, a lot of things that come out of the Electoral Commission do not make a great deal of common sense to anyone who is involved in democratic policies. Does the hon. Gentleman agree that a decision is needed one way or another? No matter how many reviews we have, we are going to have the diversity of views that we have heard in the debate.

Mr. Harper: The hon. Gentleman is absolutely right. One of the criticisms of the Government made by me and by the Opposition is that when a difficult question comes up, a review is often set up—

Mrs. Eleanor Laing (Epping Forest) (Con): Always.

Mr. Harper: My hon. Friend's comment is probably right. I deliberately referred at the beginning of my speech to the ten-minute Bill. The House has already had the chance to consider the issue during this Parliament and has made a decision. It will be interesting to see what decision the House makes today, but I do not think that people can keep revisiting things until they get the answer they want. It would be sensible if the House considered the arguments, as they are worth looking at. However, the arguments in favour of the Bill are rather threadbare. The arguments made against change and for sticking with the status quo are, I think, much more compelling.

Mr. Jones: The review that started in 2003 reported, I think, in 2004. Does the hon. Gentleman think that not enough has changed in those four years to warrant yet another review?

Mr. Harper: The hon. Gentleman is probably right. The hon. Member for Edmonton referred to the UN convention on the rights of the child's having been signed and ratified in 1989. That was not that long ago, and I do not think that there has been the tremendous societal change that he has talked about. It will be helpful if the House makes a decision today so that the matter can be left, rather than considered ad infinitum.

There is no harm in a commission considering the matter, but the Government should not feel obligated to bring the issue back to the House every five minutes. This Parliament has had the opportunity to consider the subject once and today's debate gives us the chance to consider it again. I certainly do not think that it is worth bringing the matter back to this Parliament for a third time. The House will have made its decision quite clearly after the debate today. On that note, I will allow others to engage in the debate.

11.37 am

Mr. Kevan Jones (North Durham) (Lab): May I say how pleased I am to follow the hon. Member for Forest of Dean (Mr. Harper)? He covered a lot of ground and was generous in taking interventions. That was helpful, as it allowed us to prise out some of the arguments that we face today.

I congratulate my hon. Friend the Member for Cardiff, North (Julie Morgan) on promoting this Bill. I steered a private Member's Bill successfully through the House during the last Parliament, and I know the amount of hard work that goes into the preparation for these debates. Credit has to go to her for the cogent and strong way in which she put her arguments.

I want to concentrate on a few areas. The first is the history of the subject, and where we are today. The second concerns the international comparisons. The third is a broader issue, which is not only about the voting age but about how to engage people in the debate.

Clearly, there are strong views on either side of the argument for reducing the voting age to 16, as there were in 1969 when the Representation of the People Act reduced the age from 21 to 18. One could say that that heralded the change. I do not come at the subject with strong views either way. I feel that if we reduced the age to 16—this point has already been made—we might have another attempt to reduce it to 15 or even lower. We need to be careful that we do not end up with an annual debate.

Mr. Love: I have heard that argument repeated several times today. Surely a debate on the essential issue of who has the right to vote and who does not, and the reasons for those decisions, are a critical part of our democracy. It should not be something that we run away from. We come back, year after year, to the second House in Parliament. Is not it essential that we have debates such as this? What do we have to be scared of?

Mr. Jones: I am not scared of any debates. I think that it is an issue that we should discuss in each Parliament. It should be reviewed. The problem I have is that, if we reduce the age to 16, will we then not settle on 16, but go further down? I agree with my hon. Friend: I would not oppose the debate taking place. However, if we move to 16, would we continue to reduce the age to, for example, as some have suggested, the age of criminal responsibility, which is 10? I do not think that that would be very favourable either.

I am not opposed to debate, but the weakest of the arguments being made is the one about turnout. The idea is that, if we are to engage young people in the electoral process, reducing the age to 16 would mean that they all flocked to the ballot boxes and started voting in local elections. I will refer later to the wider problem, which is not necessarily down to young people. Different sections of society are not voting. We should take certain steps to make it easier for people to vote, irrespective of their age, but I do not think for one minute that age is an issue that will increase turnout. I refer to the example of the Isle of Man that was cited earlier. Young people there were given the opportunity to register, but most of them did not. However, to make voting easier, we must look at systems such as postal voting and others.

Like the hon. Member for Forest of Dean, I visit many schools and enjoy engaging and talking with young people, in both primary and secondary schools. In the seven years I have been in the House, this issue has never come up during one of the school visits that I have taken part in. I have had a host of issues raised about local issues that affect young people in the county of Durham, and those people are quite engaged with some national topics. As I said in an intervention on the hon. Gentleman, I think we all keep a tally of the main issues that affect our constituents. As I said, saving the whale was the top issue that people wrote to me about. Then came the campaign against bearskins being used by the Grenadier Guards. As for the third issue, may I put it on the record that I was not suggesting that people write to me to support the clubbing to death of seals? People were voting to oppose the clubbing to death of Canadian seals. However, voting age has never been raised with me by young people in my constituency, either directly or in writing, and most right hon. and hon. Members get not only a daily postbag now but an e-mail box full of our constituents' opinions.

Mr. Evans: I agree with the hon. Gentleman. From recollection, I have not received one letter on the subject in 16 years. Perhaps there was one; let us play on the safe side. I find it interesting that, when young people met in the House of Lords the other day—it was a great initiative and I would like to see it extended; I do not even see why we cannot use this Chamber for that kind of thing—one of the issues that came above giving the vote to 16-year-olds was the abolition of tuition fees. The interesting thing is that those aged 16 to 18 would be the next cohort to go into full-time education and would be liable to pay the tuition fees, so there would be a lot of unintended consequences if we went down that road.

Mr. Jones: There would be. I am possibly a bit more reactionary than the hon. Gentleman. I would not want this Chamber to be used by anyone who has not been elected; they should not be able to sit on these Benches if they have not been elected. The Chamber should not be used as some type of Chamber to be hired out to anyone who wants to come and play at being a parliamentarian, although I support the work that the UK Youth Parliament is doing, because it raises awareness of not only the activities of this House but local government and other things.

One argument for reducing the voting age to 16 is consistency: people can do other things at 16 so we should reduce the voting age to 16. Some of those other things have been mentioned: the right to leave home, to join the armed forces or receive social security benefits. However, I should like to clarify the issue about the armed forces. I have been a member of the Select Committee on Defence for seven years. In the previous Parliament, our Committee held an inquiry on the duty of care for 16 and 17-year-olds in the Army. People may be able to join the Army at 16, but their rights and abilities to do things are, rightly, quite tightly controlled. The parental responsibility is with the parent or, for those people who have left care to join the armed forces, with the armed forces. I do not think that it is a strong enough argument to say, "Because you can do these things, you should reduce the voting age to 16."

We are getting a little schizophrenic in our approach to age. Earlier I mentioned the fact that we are increasing the age at which people can do things. I represent a rural constituency, and I take the point that the hon. Member for Forest of Dean made about raising the driving age, which would create a lot of difficulties in rural communities, although I support not only making provisional licences tougher, but, once people get their licences, imposing more restrictions on them. Therefore, we cannot have it both ways. We cannot argue for a reduction in the age at which people can vote for people to come to this House and then argue that they are not responsible enough to drive, use air weapons and everything else.

Mr. Harper: One welcome relatively recent change is the move to equalise the age at which one can vote and the age at which one can stand as a candidate for the House. I support that change: it is sensible for those two things to be drawn together. One danger of this move is that, if we were to reduce the voting age, we would again set up that disconnect where we said that people were old enough to choose Members of the House, but not old enough to be Members of the House. We would end up with either that disconnect or pressure building for 16-year-olds to be elected to the House. That would not be welcome, although I support equalising the age at 18.

Mr. Jones: I agree. I did support, and would again, the reducing of the age at which one can stand for the House to make it the same as the age at which one can vote, because otherwise there would be a disconnect, although I have not noticed a great groundswell of people standing for local office at 18. Having said that, if I remember rightly, the Conservative party now has a couple of 18-year-olds in Durham. I think that an 18-year-old, a very young lady, was elected in Willington. She was certainly under 21, although strangely, her leaflets did not mention the word "Conservative" at all. I do not know whether she got elected as a Conservative or an individual, but credit to her for standing as part of the democratic process.

Mrs. Laing: I will help the hon. Gentleman with his statistics. A 19-year-old woman was elected to Epping Forest district council just a few weeks ago, and she will be an excellent councillor.

Mr. Jones: I congratulate that individual on her achievement, but I hope that she made it clear to the voters that she is a Conservative. The candidate in Willington in the County Durham local election put out glossy literature that did not mention the fact that she is a Conservative.

It is great that we now discuss citizenship, rights, responsibilities and democracy in schools. We sometimes reinvent things, because those topics were taught when I was at school, and I do not know why they went out of fashion. If people are to be full, rounded citizens, they should be able to understand not only democracy in Westminster but local government, which is important. When I visit schools, I am sometimes asked, "What is an MP? What is Parliament?" I reply that a school council is a mini-Parliament, because it involves people being elected and having the right to raise and argue their views.

Mr. Love: The first question in every school that I visit is: how much is a Member of Parliament paid? When that happens, the teachers get very embarrassed and say, "We told them not to ask that question," which is, of course, why the children asked it. Has my hon. Friend shared my experience of always being pleasantly surprised by the maturity of the children, even those who are much younger than 16, and by the sophisticated questions that they ask their public representatives?

Mr. Jones: Children are increasingly sophisticated in what they know about civic life, and they are not afraid to put their views forcefully when we meet them. Like the hon. Member for Forest of Dean (Mr. Harper) and others, when I meet young people in not only schools but youth clubs and other places, I find that they are not shy about putting their views forward.

We have discussed whether people will join political parties. Across western Europe, joining political parties is going out of fashion, whether we like it or not. I am not sure whether reducing the age to 16 would lead to huge numbers of new members joining political parties. Many young people whom I have met are very passionate and very involved in a range of issues. They are usually involved in single-issue campaigns, which are part of the civic and democratic life that we want to encourage in this country.

Mr. Stewart Jackson: On engaging the energy and enthusiasm of young people, as far as I am aware, there are no plans at county, state or federal level to alter the voting age in the United States, yet we have seen a huge outpouring of enthusiasm for politics from young people who support either the Democrats or the Republicans. Surely that gives the lie to the idea that the voting age is the only important issue in engagement by young people in the political process.

Mr. Jones: People should be careful before they get too carried away by the primary system in the United States, because a very small percentage of people actually vote in primaries. It is possible that certain candidates in the United States have got carried away and believe that they have a larger block of votes behind them than is actually the case.

The crucial factor in relation to turnout is whether the vote is tight. If there is a closely fought local election between different political parties, turnout goes up. When I was a member of Newcastle city council, the Liberal Democrats tried to unseat me on three separate occasions. On the final occasion, we had the highest turnout in the city of Newcastle, which was about 44 per cent.—the good electors of the Walkergate ward were wise enough to re-elect me rather than electing the Liberal Democrat challenger. *[Interruption.]* The individual in question is no longer a member of the Liberal Democrats.

Mr. Love: I have to ask the question: did my hon. Friend get returned because of his views on whether people should be able to vote at 16?

Mr. Jones: No. It was a vicious campaign led by the Liberal Democrats, who wanted, for some reason—I cannot understand why—to unseat me from Newcastle city council. They failed.

The recent comparisons in respect of voter turnout are important. It is clear that people thought that the London mayoral election would be a close-run thing, and they turned out to vote. That had nothing at all to do with age. Furthermore, people thought that the Crewe and Nantwich by-election—I should not mention that, but I will—would be a tight-fought contest, and they turned out to vote. Let us explode the myth that lowering the voting age would do anything to increase turnout. It would not.

I suspect that the turnout for the next general election will be greater than those for previous elections because people will perceive—wrongly, I think—that the Conservative party has a chance of forming the next Government of this country. The pressures on people to vote are those that I have listed, and they do not include people's age. We should not seek to change the voting age on the basis that doing so would somehow affect turnout.

I give credit none the less to the organisations that campaign for votes at 16. The coalition represents some good organisations, although having said that I see that the one at the top of my page of notes is the group Liberal Democrat Youth and Students. However, the coalition also includes the British Youth Council; the UK Youth Parliament; the Electoral Reform Society, although I give less credence to that; the National Society for the Prevention of Cruelty to Children; the Children's Society; the Office of the Children's Commissioner for London; the National Children's Bureau; Barnardo's; and Children's Rights. What those organisations do is admirable.

I support children's rights to protection and a safe and peaceful life, but we have to be careful about the notion that giving people votes at 16 would somehow advance the cause of children. I do not see the two as being connected in any way; I cannot honestly see that giving people votes at 16 will mean that key issues for 16 and 17-year-olds will be any further up the political agenda than they are now.

Again, I agree with the hon. Member for Forest of Dean. These days, parliamentarians of any political persuasion ignore any constituents at their peril, whether they agree with them or not. Let us be honest: as was said earlier, we are elected to represent everybody, even those who do not agree with us and vote against us at election time. I do not think that the voice of young people would be greatly enhanced by lowering the voting age.

The other mistake made by the campaign is this: it presumes that all 16-year-olds are necessarily interested in the same thing, and that 16-year-olds in my constituency, in Cardiff and in London necessarily have one thing in common. They do not, and it is a mistake to think of them as a block of people who would turn out and argue for a certain thing. Like the rest of the population, 16-year-olds have different views on different issues. It is important to recognise that, rather than thinking that votes at 16 would mean that another block of people would suddenly come up and argue for a set number of issues.

Mr. Harper: It is interesting to consider the Electoral Commission's report, which concluded that the voting age should not be changed. It stated that

> "the fundamental issue for young people seems to be that their views are regarded as important and are considered properly by public policy makers,"—

that is, us—

> "not that the particular age at which they can vote...should be lowered."

That indicates that the solution that will engage young people in politics lies not in changing the law, but with us and how we conduct ourselves in our constituencies and elsewhere—listening to young people and taking them seriously, but not necessarily changing the age at which they can vote.

Mr. Jones: The hon. Gentleman should not tempt me down that road just yet, because I want to return to that important issue later.

It is important that we understand what young people are arguing for and want, but they will not all be arguing for the same thing.

Mr. Love: When I go to schools or meet young people, certain themes emerge every time. Concern for third world poverty is very much at the top of their agenda, and they have always cared passionately about the environment. No one is suggesting that they would do other than add to the existing pressures on Government on those issues, but is it not important that they feel that they are making a contribution to a more environmentally friendly future and to dealing with third world poverty? That gives them a voice, involvement and participation, which is vital.

Mr. Jones: May I say yes and no to my hon. Friend? When I was at a secondary school a couple of weeks ago with my hon. Friend the Member for Gateshead, East and Washington, West (Mrs. Hodgson), we spoke to a group of youngsters about developing world issues and about Burma, which had recently been in the news, and they were very passionate and forceful in what they said. I come across such young people all the time who see their role, in arguing and making their presence felt to Government on issues such as climate change, not necessarily in terms of the voting system but of getting involved in campaigning groups and activities, where they think that they can make a bigger contribution. If that then sparks their interest in party politics or in getting involved in the political process, that is great. I am sure there are examples on both sides of the House of people who have joined political parties because of the campaigning organisations that they got involved in.

The hon. Member for Forest of Dean referred to the Electoral Commission report. I have to say that I do not hold the Electoral Commission in high esteem; I think that it was one of the mistakes that we have made as a Government. The intention was right—to have an independent body to scrutinise elections—but it has lost its focus on what it should be doing. Given that it spends £30 million a year, I am not sure that the taxpayer gets good value for money. In 2003, the commission conducted a review of voting age. The consultation, which took place that summer, was addressed to a whole host of groups, and the questions that it asked were very relevant. For example:

> "Do you think that lowering the voting age, or allowing young candidates to stand for election, might encourage people to take part in elections?"

That goes back to the question of voter turnout. It continues:

> "Do you think that lowering the voting age, or the age of standing as a candidate, would increase the level of trust which young people have in politicians?...If you are a young person, teacher or parent—in your experience, is citizenship education changing young people's knowledge and interest in elections and democracy?"

That tries to determine whether young people are being engaged in the process through citizenship in schools. Then the commission asked:

> "Do you want to see a change in the current minimum age for voting (18)?...Do you want to see a change in the current minimum age for standing as a candidate (21)?"

We should remember that this was prior to the decision to reduce the age to 18. Finally:

> "Would you advocate the same minimum age for all levels of elections in the UK?...If the minimum age for standing as an election candidate at UK elections were to be reduced, what age do you think it should be reduced to? Why?"

There is a legitimate debate to be had. Today's debate is about whether to reduce the age to 16 and there are some international comparisons. For instance, people can vote aged 15 in Iran, and if we are to carry out a consultation, as the Electoral Commission did, we need to take into account the views of people who argue that the age should be lower than 16. The survey asked whether people would advocate the same minimum age for all levels of elections in the UK. That review engaged the views of not just young people but a whole host of organisations and groups. The commission's findings were published in April 2004. The Government have now embarked on another consultation, and I shall come to that in a minute, but it is worth looking at the conclusions of the Electoral Commission's report.

The commission recommended that the minimum age for all levels of voting at public elections in the UK should remain at 18, and adds, as the commission always does, "for the time being"—a bit of a caveat. It went on, as most documents from the commission do, to be vague and woolly without giving precise advice. It qualified further its recommendation, clearly wanting to sit on the fence and not upset individuals, by saying:

> "However, circumstances may change the context significantly over the next few years. In particular, citizenship teaching may

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> improve the social awareness and responsibility of young people. There may also (perhaps partly in response to this) be a wider debate about the general age of majority that would better inform consideration of the individual's age-based rights. We propose further research on social and political awareness of those around 18 with a view to undertaking a further review of the minimum age for electoral participation in future."

That is another thing that the Electoral Commission is very good at—keeping itself employed by ensuring that it conducts further research in a few years' time. The document continues:

> "The Electoral Commission would therefore expect to undertake a further formal review of the minimum voting age within five to seven years of this report. We would encourage the Government to consider in the meantime initiating a wider review of the age of majority, given the length of time that has passed since the last one."

That concerns me because the Electoral Commission is getting involved in something that it should not be getting involved in—the age of majority. It deals with issues concerning elections, not other things, and the Government should sometimes be more forceful with the commission and tell it to keep its nose out of things that it should not be involved with.

The review has been initiated. I am not clear why, and I do not see why the Electoral Commission argued that the process should take place in the next five to seven years—do not ask me why it is five. The only reason it gives as evidence for that is the fact that the teaching of citizenship would somehow change the perception that young people in schools have. That process has been going on for quite a long time. I do not know why it went out of fashion in schools—most used to teach issues of citizenship in general studies, and I first learned about this place in such lessons. The commission's argument, in stating that the arbitrary five to seven years should be the reason for having a review, is pretty weak.

Mr. Stewart Jackson: The hon. Gentleman is no doubt aware of the report that preceded the report he is quoting from, which is the July 2002 Electoral Commission report entitled "Voter engagement and young people". It found that the underlying reasons for low turnout among young people were complex and multi-faceted, such as disillusionment with parties, lack of interest in politics, feeling that they as individual voters had no impact and not knowing enough about politics. Does the hon. Gentleman agree that in a mature democracy—although it is anathema to say it in the House—some people, particularly the young, will just not be interested in politics?

Mr. Jones: I hate to say it, but that applies not only to young people but to many others, who have no interest in politics. In this goldfish bowl that we inhabit during the week, we talk, eat and drink politics, but when I go home this weekend and talk to people in my local newsagent's tomorrow morning, I very much doubt whether they followed my every word on the two occasions that I spoke this week. The hon. Gentleman has touched on a bigger, underlying issue—the need to get not only young people but others re-engaged with the political process. There is no magic bullet for that. People will take part in elections if they feel that they are relevant; otherwise they will not. The days when people voted a certain way because mum or dad did have gone—I think that the hon. Gentleman mentioned that earlier. The Labour party was the biggest beneficiary of that change in 1997, when safe Tory seats, which one would never have expected to fall to the Labour party, did so. That is because voting patterns have changed.

Mrs. Laing: Just like in Crewe.

Mr. Jones: No, not like in Crewe. The swing in Crewe was small compared with those from which my party benefited in 1997 and in some by-elections in the run-up to the 1992 election. My party sadly lost that and the Conservative party, perhaps ultimately to its disappointment, won.

What will change in five or seven years? We can continue holding reviews and commissions about the subject but nothing will change—we will still get divided opinions. The idea that we can get 16 and 17-year-olds to speak with one voice and say, "These are the reasons why we want the vote" will not materialise, no matter how many commissions we set up at whatever expense.

Mr. Harper: There is powerful evidence to support the hon. Gentleman's case. Civics has been a compulsory lesson in the United States for generations and there is no evidence that it increases political literacy and turnout. Many books have been written about that. The US education system takes civics and citizenship rather more seriously than we do, and has done so for years. If there is no evidence there to show that that has an effect, it is unlikely to be effective here.

Mr. Jones: I agree. The United States should be a beacon to us on the matter. As the hon. Gentleman rightly says, citizenship lessons begin from the pledge of allegiance to the flag in school in the United States. I do not know whether people were asleep during their civics lessons, but, from my experience, the position is the same in the United States as it is here. There is a huge difference between those who have had a formal education and understand the system and people, for example, in rural parts of the United States, where education is perhaps not as good as it should be. Civics lessons have not led to great turnout, which is poor in presidential elections and even worse in state elections. That also applies to registration.

I support the attempt of my hon. Friend the Member for Cardiff, North to bring the matter to a head.

Harry Cohen: The United States has a history of keeping people off the register through fear that they will vote the wrong way. Various Administrations, racists, Republicans and others who have been in charge have kept people off the register. Surely the position is different here. We want people on the register so that they can participate.

Mr. Jones: The position varies. I agree with my hon. Friend that getting on to the electoral register is difficult in some parts of the United States, especially in parts of the rural south. However, even here, it is difficult to get people to register to vote, despite best efforts. If the Conservative Government did one thing to decimate electoral registers, it was introducing the poll tax. People simply took themselves off the register. *[Interruption.]* That might have been dishonest, as the hon. Member for Epping Forest (Mrs. Laing) says from a sedentary position, but many people did it to avoid the nonsense of the poll tax. To a large extent, we are still recovering from that.

I support my hon. Friend the Member for Cardiff, North because the ultimate decision is not for some commission, based on the notion that if we get enough academics together, we will somehow come up with the Ark of the Covenant or the answer to the problem. At the end of the day, the decision is a political one. The issue certainly needs to be reviewed in every Parliament—I am quite happy for that to happen—but ultimately it will be down to right hon. and hon. Members in this place to make the decision.

Too often these days—I have to say that my Government and my party are a bit too used to this—we think that if we park decisions with independent commissions, they will come up with the right decision that will be easier to make. I am a bit old fashioned, however. I think that politicians should take decisions—sometimes unpopular decisions—and not think that they can hide them behind quangos or people who profess to have great knowledge about a subject. It is clear that some of the people behind the Electoral Commission's reports and advice have never fought a local election or do not understand local election law.

Reference was made earlier to international comparisons. My hon. Friend mentioned a few examples. Does the situation vary throughout the world? Yes, it does. The country with the lowest voting age is Iran, where it is 15. It would surprise many people to hold Iran up as a wonderful bastion of parliamentary democracy, but people should look at Iranian democracy a little more closely, rather than reading some of the headlines in the newspapers.

Mr. Love: I was going to intervene earlier to say that it was a tautology to mention unpopularity and politicians in the same sentence. On international comparisons, does my hon. Friend agree that the thrust in the past five to 10 years has been towards younger age ranges for voting than previously? In a sense, we are perhaps being left behind by international opinion on this issue.

Mr. Jones: I am sorry, but I do not think that the reason to change the voting age in this country is that some other countries have done so. My hon. Friend should be careful that we do not ape—

Stephen Pound (Ealing, North) (Lab): Other aspects of Iran.

Mr. Jones: Indeed, although some of the more forceful aspects of Iranian law enforcement might be quite popular with some of our constituents. We should be careful not to copy those aspects, given the danger that some of our constituents might thoroughly approve of them.

The other example mentioned earlier was the Isle of Man. In February 2006, the Isle of Man was the first part of the British Isles to lower the voting age from 18 to 16. I have never quite understood the legal status of the Isle of Man—I know that many members of the business community understand very well the financial advantage that it gives them—but I understand that although it is not officially part of the United Kingdom, it recognises the Queen as the Head of State and its citizens are classed as British. I understand from my research that a month before the general election of November 2006, fewer than half of the 1,800 young people who were eligible to register to vote had done so. Although the Isle of Man became the first country in the EU to reduce its voting age to 16, the measure has not proven popular, in terms of young people rushing to vote.

The other example is the Channel Island of Guernsey, which lowered its voting age from 18 to 16 in 2007. Like the Isle of Man, it is not officially part of the United Kingdom, although its citizens are classed as British. The change added some 2,000 names to the electoral register, and anyone over the age of 16 will be able to vote in the elections later this year for the Senate and the Deputy. It will be interesting to see what proportion of the 16 to 18-year-olds who are eligible to vote will take part in the elections. No doubt the Electoral Commission will have to pay a fact-finding visit to Guernsey to find out what actually happened. One of those examples certainly proves that, even if we did reduce the voting age to 16, there would not be a great clamour among people of that age to vote.

Mr. Love: I take a consistent interest in electoral registration because at least 10 per cent. of my constituents are not registered to vote, for a whole variety of very complex reasons. As my hon. Friend will know, in this country—and, I assume, in the Isle of Man and Guernsey—it is the head of household who fills in the electoral registration form. The fact that young people are not registering could have more to do with the internal dynamics of family life in these communities, or with the heads of household, either through ignorance or unwillingness, not putting their 16 to 18-year-old children on a voting form, than with the young people themselves not wanting to register.

Mr. Jones: That is possibly so. Like my hon. Friend, I keep a close eye on electoral registration in my constituency.

The people who are arguing for a reduction of the voting age to 16 suggest that it could rejuvenate democracy, but the evidence shows that turnout would actually go down, because such a move would increase the electorate in most constituencies.

Mrs. Laing: I thank the hon. Gentleman for giving way on that point, on which the hon. Member for Edmonton (Mr. Love) rightly intervened. Is the hon. Gentleman aware that his Government have said, through various Ministers in the Chamber, that they are in favour of the system of individual voter registration that the Conservatives have proposed? That would get around the problem of one person filling in the electoral registration form for the whole household, which the hon. Member for Edmonton rightly pointed out. However, although Ministers have said that they are in favour of that system, the Government have done nothing to bring it into force.

Mr. Jones: I should like to point out to the hon. Lady that I am not in favour of individual voter registration, and I will tell her why. If we wanted to drive down the

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electoral rolls, that would be the way to do it. Instead, we should be looking at best practice. Electoral registration is a local responsibility, and it varies from place to place. Let us be honest: the constituency of my hon. Friend the Member for Edmonton is very different from mine in terms of population mobility, which makes it difficult to keep the register up to date.

Stephen Pound: I am grateful to my hon. Friend for giving way. He has shown his characteristic generosity in so doing, which I hope he will not regret. The Government have in fact introduced individual voter registration, and it has been in operation for several years in one part of the United Kingdom. Would it not be sensible for us to study the experience of Northern Ireland, to see how the system has worked there? It seems to have cured the problem of personation, although it has had no impact whatever on increasing the number of people voting.

Mr. Jones: Perhaps the reason personation in Northern Ireland is not the issue that it used to be has less to do with individual registration than with the change in politics and the peace process. The hon. Member for Foyle (Mark Durkan) was here earlier, and he has told stories of people in the 1970s and 1980s changing their clothes in order to go into the polling station to vote several times. He described it as "binge voting".

I think that individual registration would act as a disincentive, and that we should consider best practice. I also think that we should devote the necessary resources to registration, which we do not at present. I know from talking to London colleagues that in constituencies such as that of my hon. Friend the Member for Edmonton, the churn and turnover of the population is horrendous in comparison with what happens in more stable communities such as mine.

Mr. Love: I thank my hon. Friend for being so generous in giving way.

The fall in the number of people registered in Northern Ireland as a result of individual registration cannot be explained by personation. In fact, many people who could and should have been on the register were not registered because of the hurdles placed in their way.

Mr. Jones: I defer to my hon. Friend's detailed knowledge.

We should also consider the effect that reducing the voting age would have on parliamentary constituencies, and the possibility that a major boundary review would be necessary for demographic reasons. Some constituencies contain many more young people than others; mine, sadly, contains an ageing population.

It is being argued that reducing the voting age would be a way of engaging young people in the electoral process. I have seen no compelling evidence to suggest that that is so. There is, however, a broader issue, which has been raised by both the hon. Member for Forest of Dean (Mr. Harper) and the hon. Member for Peterborough (Mr. Jackson): the engagement in the political process of people in general—not just young people, but older ones.

I think most Members, especially women, would agree that older women would crawl over hot coals to cast their votes, because they recognise that women had to fight for the vote. Indeed, older people of both sexes work hard to ensure that they cast their votes, and feel robbed if they cannot go out to do so. Many younger people, however—not just the 18 to 25-year-olds who were mentioned earlier, but those in their mid-30s—are not voting at all.

I am not making a party political point. I think that part of the challenge for us all as parliamentarians, and also for democracy as a whole, is to make politics relevant. It is not just a case of convincing people that they can change things and make things happen; we must also resist, and keep resisting, the tendency to push decisions away from the democratically elected sphere of influence, whether it involves this place or local councils.

It is important for people to be able to cast their votes, and in doing so to ensure that their local councillors, or we in the House of Commons, can have a direct say in decisions. That is why I have always opposed the nonsense that our Government introduced—the Conservatives never fell for it—of an independent Appointments Commission to put people forward for membership of boards of hospitals and other trusts. Young people who want to know how their health service is delivered locally cannot find out who is making the key decisions, and ultimately those decisions cannot be changed. Such developments have led to the cynicism that we see not only among members of the older generation, but among young people.

I respect everyone who stands for election, whether for a parish council, a town council, a county council, a district council, this place or the European Parliament, because they have had the guts to stand before their peers and say "Vote for me". I have no problem with people standing as independents, because they have had the guts to do so. That is very much different from what we have now: the quangocracy that the previous Government started and we continued, whereby those representing local people make huge decisions on their lives without any connection to, or in many cases involvement with, their day-to-day lives. Local people cannot change those decisions, and all parties need to recognise that fundamental issue. We need to ensure that local people can not only affect decisions, but if they are ultimately unhappy with those decisions, vote people out of office, as can happen here. That should be possible on a range of issues, and we need to examine that matter.

Mr. Stewart Jackson: I am warming to the hon. Gentleman's theme, and I generally agree with what he is saying, because if power and the capacity to make changes in political policy are moved to the lowest possible level, that engages and enthuses people. I take it from his comments that he will be supporting the Conservative policy, which is likely to be put forward at a general election, to have elected police commissioners who are also responsible for local prosecutions. Again, that is designed to build up people's faith in the criminal justice system, which is at a low level, and engage people in that particular area of government.

Mr. Jones: The answer is no, I will not be. On police authorities, the rot set in under the previous Conservative Government, who took away the local authority's right to have a majority on police authority boards. If we really want democratic control, we need to use local councils or directly elected police boards, not individuals. Let us be honest, if we use individuals, it is likely that some strange individuals will stand. They may be popular on one issue, but they might not really engage with the community or understand what is going on.

The other issue needs to be addressed by Parliament. We have made some movement on engaging young people in the political process. May I pay tribute to the Department for Children, Schools and Families, which has been good at producing not only some very good literature, but the new website? I ask people who have not visited the site to do so, because it is a good tool that is being used by many young people in schools in my constituency. Let us be honest and say that this place is a strange institution—

David Howarth (Cambridge) (LD): Especially on a Friday.

Mr. Jones: It is pleasing to see another Liberal Democrat here to support this key manifesto promise of theirs; there are now five of them in Chamber to support this policy.

David Howarth: There might be more.

Mr. Jones: No doubt, the Liberal Democrats will rush in at the end to try to vote for this legislation. Perhaps they are all coming back from Henley or other parts of the country on a Friday to ensure that this key election promise is put through.

I return to the issue of engaging young people. The DCSF is doing a fantastic job, and it needs support. The new website is important, and not only in explaining Parliament; the virtual tour that people can do is interesting. The recent movement—it has had the gestation period of an African elephant, but it is finally getting there—to have a purpose-built education centre in this building is a great step forward. I am passionate about ensuring that we explain to young people not only what we do on a party political basis, but what democracy is and how this place works.

The hon. Member for Peterborough mentioned the cynicism that exists, and trying to explain the important work that this place does should be one of our top priorities. That work will then relate back to some of those single issue campaigns and other things in which we know that young people in our constituencies are very interested. That new education centre will be a focal point for that work and for bringing young people into this building, so that they can understand what is going on.

I would go a step further and expand our outreach work. There are outreach workers who go around the constituencies, and that is important, but young people need to be able to afford to visit this place. I hope that the House will seriously consider subsidising youth groups and schools that wish to visit, as the Scottish Parliament, the Welsh Assembly and the European Parliament do. My constituency is in Durham, and a visit here is an expensive proposition, but it is important in explaining to young people not only the relevance of voting, but how their lives are affected by what happens in this place.

Mr. Harper: The hon. Gentleman serves on the Administration Committee, and I had the privilege of doing so for a time. I know that it has discussed subsidies for visits to give young people—especially those from constituencies that are some distance from London, as ours are—a chance to see the House in action and learn about it. If the Committee can put some proposals before the House, it would be a great step forward in equalising the ability of all young people in this country to see what we do here.

Mr. Jones: Those proposals will be put before the House, and I hope that they will receive support from both sides. When the hon. Gentleman was a member of the Committee, he supported the proposals and I hope that they will come to fruition soon.

If we make this place relevant and enable people to engage in the process, does that mean that we should reduce the voting age to 16? I have a genuinely open mind on this issue, but I am not convinced—*[Interruption.]* Well, the Liberal Democrats sometimes do not help when it comes to the cynicism in British politics, especially with some of their cheap jibes at the expense of hard-working local councillors of all persuasions. The Liberal Democrats are the wrong people to lecture anyone about engaging in positive democracy or campaigning locally. I am unconvinced that we should reduce the voting age, but it is an issue that should be discussed at least once every Parliament. My hon. Friend the Member for Cardiff, North has given us that opportunity, and we should thank her for that. However, we should not have endless reviews of the issue.

I would be interested to know what the next review will cost. When we receive the conclusions of the review, what will happen then? Legislation would have to be introduced, but as I have stressed to the Prime Minister the Government should concentrate, in the current climate, on issues that are of direct benefit to our communities, economically and socially, instead of on something that exercises only the minds of a few constitutionalists. We should not waste legislative time on changing the voting age—House of Lords reform is another example—when we could be legislating on issues that would directly benefit the many constituents who are having a tough time economically at the moment.

In conclusion—*[Interruption.]* The hon. Member for Hornsey and Wood Green (Lynne Featherstone) sighs: I can go on, if she would like me to do so—*[Interruption.]* Well, the hon. Member for Cambridge (David Howarth) has not been here for most of this debate, so he should not start sniping from a sedentary position. If he had been in his place for the entire debate, I would have more respect for him. He should remain silent if he cannot be bothered to turn up for the whole debate, even though, as we were reminded earlier, this matter is a top priority for the Liberal Democrats.

I thank my hon. Friend for introducing this Bill and ensuring that this issue is debated today. On this occasion, I cannot support it, but I would be happy for the debate to continue. We should all continue to consider how we can keep people engaged in the political process.

12.39 pm

Mrs. Eleanor Laing (Epping Forest) (Con): I begin by apologising to the House, to you, Mr. Deputy Speaker, to the hon. Member for Cardiff, North (Julie Morgan)

[Mrs. Eleanor Laing]

and to the Minister for the fact that I will be unable to stay until the very end of the debate—a fact about which I am very disappointed, because this has been a fascinating debate. I look forward to reading in *Hansard* what is said after I have gone—at least, I think that I look forward to reading most of it—especially the Minister's remarks.

I agree with much of what the hon. Member for North Durham (Mr. Jones) has just said. He has put some very good arguments, many of which disagree with those of the hon. Member for Cardiff, North, whom I warmly congratulate on bringing the debate to the House. I agree with both the hon. Lady and the hon. Gentleman that this matter ought to be discussed—I do not know quite how frequently—and it is a pity in some ways that it is being debated on a Friday, when many Members have business elsewhere, including in their constituencies. I hope that we will perhaps have an opportunity to revisit the issue when more Members are able to be here. Nevertheless, this is a good opportunity for a debate, and I agree wholeheartedly with the hon. Lady that it is necessary that we should try, as democrats, to engage young people in the political process. It is absolutely vital that we do more to encourage young people to become involved in the political process, but I do not agree that the way to do so is by reducing the voting age.

Young people are interested in politics. They show a great deal of responsibility, interest and involvement in the political and democratic process. I can understand why Labour Members might be concerned about the involvement of the youngest of our adult population in our political process, but I can assure the hon. Lady that Conservative Future—

Stephen Williams: Is there one?

Mrs. Laing: There most certainly is a Conservative future, but we will come to that at another point.

Conservative Future, for those who are not aware of it, is the name of the youth wing of the Conservative party, and I am happy to tell the House that it is the fastest-growing youth movement in Europe at present. Labour Members might be bothered that young people are not engaging in new Labour politics, but they are engaging in Conservative politics.

Mr. Kevan Jones: Will the Conservative party's leadership possibly close that organisation, as it did with the Federation of Conservative Students, when it took views that, frankly, were not only embarrassing to the party but diametrically opposed to those of Front Benchers?

Mrs. Laing: The hon. Gentleman is historically correct, but Conservative Future is a very different sort of organisation from the Federation of Conservative Students. I remember that one of my first political acts as a student, having joined the federation in my first year at university, was that I resigned from the federation because I totally disagreed with its incredibly right-wing stance. I was very glad that the leadership of my party followed my lead later on.

Mr. Evans: I was also a member of the Federation of Conservative Students, which was closed down. My hon. Friend makes the point that, when Norman Tebbit closes an organisation because it is too right wing, we ought to listen.

Mrs. Laing: We ought to; we did, and some of us dealt in our own way with the Federation of Conservative Students.

Mr. Love: For many years, I was an active member of the Transport and General Workers Union. For one of its weekend conferences, it tried to book the Royal Agricultural College, but for a long time, the college would not have the union. Then the union discovered why: the Federation of Conservative Students had been there and had doused the place, so the college would not give anyone the privilege of making use of the place. My question relates to the hon. Lady's point about young people being engaged in politics. She said that Conservative Future was the fastest-growing organisation of politically involved young people, but she did not tell us whether that growth consisted of people in the 16 to 18 age range, or whether the real growth is among people aged 18 and above.

Mrs. Laing: The hon. Gentleman makes a good point, and I will develop that argument. I do not know the statistics relating to those aged between 16 and 18, and those aged over 18, but plenty of young people under the age of 18 are getting involved in Conservative Future and other such organisations. My argument is that that is absolutely right. We want to encourage people who are 16, 15, or 14—indeed, people of any age—to be involved, and to take part in the political process. That does not mean that they should have the right to vote; they should serve an apprenticeship on their way to having the right to vote.

Mr. Newmark: On the point that the hon. Member for North Durham (Mr. Jones) made, I note that one of the supporters of the Bill is the hon. Member for Buckingham (John Bercow), who, if memory serves me correctly, was a very active member of the Federation of Conservative Students. That shows that anybody can change over time.

Mrs. Laing: I am glad that my hon. Friend made that point. I appreciate that the issue is not relevant to the debate, but I feel that I must jump in and defend the reputation of my hon. Friend the Member for Buckingham (John Bercow), who was indeed a leading member of the Federation of Conservative Students. However, he most definitely emerged as one of the most responsible members of that body. When it was disbanded by the then chairman of the Conservative party, he was elected the leader of the new Conservative youth wing. It is important to separate his reputation from that of the part of the Federation of Conservative Students that was disbanded. I apologise for that long explanation, Mr. Deputy Speaker, but we cannot have defamatory remarks made.

Harry Cohen: Will the hon. Lady give way?

Mrs. Laing: If the hon. Gentleman will forgive me, we must get on with the argument. I will happily give way to him in a few minutes.

I would not argue that 16-year-olds are not mature, able, or responsible in outlook or intellectual development. Of course they are. Many 16-year-olds are writing essays, doing exams, and taking part in discussions on historical, political or moral issues to a very high intellectual standard, and they have a real understanding of democracy, the political process and issues that matter in our country and in our world today. I take as one example the Epping Forest schools debating competition, which I organise, and which we hold every year in my constituency. Every year, without exception, young people aged 14 to 18 take part in those debates, and every single one of them is well informed and well able to engage in the political process. However, that does not mean that they ought to have the right to vote before they reach the age of majority.

Out of sheer respect for the democratic system, it is right that young people should serve a sort of apprenticeship before they can become a full citizen and have a vote. As my hon. Friend the Member for Forest of Dean (Mr. Harper) said during his excellent, wide-ranging speech, the point about 16 and 17-year-olds is that, barring any tragedy that might occur, they become 18-year-olds in a fairly short time.

The debate does not have parallels with other issues about rights, such as the campaign of the suffragettes or of anyone else for voting rights, despite some Liberal Democrats' earlier attempts to suggest that it does. The issue is not at all similar—it is quite different. I strongly supported the Equality Act 2006, and spoke from the Front Bench in support of it on many an occasion when it was before the House. I strongly believe in equality in every aspect of our lives in the UK today, but we cannot make people's age equal. Sadly, by the forward movement of nature and time people become a year older every year. Time flows relentlessly, and so 16 and 17-year-olds become 18-year-olds, who become 25-year-olds, who become 40-year-olds and so it goes on. We cannot hold back time, nor can we equalise people's ages for the sake of some political gimmick.

Jo Swinson: I am intrigued by the hon. Lady's comments. Given that she supported the Equality Bill, does she think that we should have legislation to prohibit ageism? By that I mean, even though we cannot make everybody's ages equal, people should not be discriminated against on the basis of age, as they are in the minimum wage.

Mrs. Laing: I do. The minimum wage is different— *[Laughter.]* No, it is not funny. The hon. Lady was making a very good point about ageism before she put in that little party political thing about the minimum wage. This is not the place to debate the minimum wage—and, by the way, my party is in favour of it. Many lies have been told about our being against the minimum wage, but we are in favour of it, as I have said from the Front Bench many times. As far as ageism is concerned, of course I agree with her. I argued that during the passage of the Equality Bill before it was an Act. One of the six strands of equality that comprise the Equality Act is age.

I am against ageism and believe that people should be treated equally, but that does not mean that we treat everybody equally during their early development. We do not treat seven-year-olds the same as 12-year-olds, 12-year-olds the same as 16-year-olds or 16-year-olds the same as 18-year-olds or 25-year-olds, and so on. I do not need to go further into that debate, as it has already been done well by my hon. Friend the Member for Forest of Dean.

I strongly reject the argument that politicians do not pay attention to 16 and 17-year-olds. That is rather an insulting thing for anybody to say. Of course we pay attention to 16 and 17-year-olds. It is quite disgusting to suggest that because somebody does not have the right to vote in a constituency, the MP might not take up their case or argue their point. If someone who had come from abroad and was not a citizen of this country, and therefore did not have the right to vote, were urgently to need help on some welfare matter, any of us as good MPs would take up that case and deal with it.

If someone moved into my constituency from another, but was not yet registered to vote there, and had problems with housing or getting their children into a school, I would not say—I hope that any half-decent MP would not, either—"You can't vote in my constituency, so I am not going to work for you." That is a very insulting argument, and it is quite wrong. To suggest that politicians do not listen to 16 or 17-year-olds because they do not have the right to vote is nonsense. It is also illogical, because 16 and 17-year-olds very soon become 18-year-olds. I find that many of the people in my constituency whom I knew through the debating competition are now becoming councillors and so on. They are very involved in the political process.

Mr. Kevan Jones: Does the hon. Lady agree that those young people have parents who are voters and possibly brothers and sisters who are voters, and that they would take a dim view if we treated those 16 and 17-year-olds with the contempt that some people have suggested?

Mrs. Laing: The hon. Gentleman is, not for the first time this morning, absolutely correct. If a 16 or 17-year-old person came to my office to ask for my advice, my first thought would be: where is that person's mother and father or guardian, who should be guiding them through life at the age of 16 and 17? I would first get in touch with the parent; I would not say, "You should be able to vote, so get on with life on your own." It is precisely because the adults have a responsibility and a duty to nurture the young people in our society until they are at a stage when they can completely stand on their own two feet, that we treat 16 and 17-year-olds and children differently from the way in which we treat adults and those over the age of 18.

The idea that those of us in this House, for example, who are of a certain generation are out of touch with young people is wrong. It was probably right in previous generations when there was a much larger generation gap—I remember my father frequently referring to students as long-haired louts, and that included my friends when I was a student. There was a big generation gap between those born in the '20s, '30s and '40s and those born in the '60s and '70s. I do not think that there is such an enormous generation gap between those born in the '60s and '70s and those born in the '80s and '90s. Having been those wild students ourselves, that generation is far closer to the young generation of today.

Many 16 and 17-year-olds are very involved in the political process. Most hon. Members were probably involved in some way in politics long before they were

[Mrs. Laing]

18, but perhaps we are not a representative example of the population. I take as an example a young lady, Francesca Whiteoak, now aged 17, who is coming here next week to work in my office for what her school calls "work experience" before going to university. She is a brilliant politics student. In recent exams, she has undertaken an analysis of the democratic system and many of the big political and moral issues that face us in the world and the country today, but she and her friends are not calling for the right to vote because they know that they are on a journey and the next staging post in that journey is when they become 18 and can exercise the right to vote. At the moment, they are learning and gaining wisdom and experience on the way to having that right to vote.

Harry Cohen: Being over 16 and under 18, is that girl too ignorant to vote?

Mrs. Laing: I am sorry, but I did not hear the hon. Gentleman.

Harry Cohen: Is that girl too ignorant to vote?

Mrs. Laing: I did not hear the hon. Gentleman but perhaps he has not heard me for the past five minutes. I have been giving the positive message that it is insulting to suggest that 16 and 17-year-olds are too ignorant to vote or are not able to vote. I have been explaining about people who take part in the debating competitions in my constituency, and about how Francesca Whiteoak, who will be here next week to observe the democratic process at first hand in the Chamber, and her friends are studying politics and economics at school. They are extremely well informed, extremely intelligent and intellectually very well placed. I have to repeat—I am sorry to take up the time of the House but the hon. Gentleman is clearly not listening—that, although they are intellectually well qualified to vote, they accept, and I argue, that the time has not come for them to have a vote, but they are on the way to becoming 18 and having that right.

Harry Cohen: It is not a question of what young people accept. Are they too ignorant to have the vote or not?

Mrs. Laing: The hon. Gentleman is wasting hon. Members' time. No, young people are not too ignorant to vote. Most 16 and 17-year-olds are involved in their local communities, and many of them are well educated on political, constitutional and economic matters.

Mr. Harper: The argument advanced by the hon. Member for Leyton and Wanstead (Harry Cohen) was used a number of times during my speech. No one who is against the Bill has made any negative comments about younger people—I have been here since the beginning of the debate. Unless the right to vote were to begin at birth, there must be a point at which people are eligible to vote, which means that some people will be disappointed. However intellectually qualified 16 or 17-year-olds may be, if the voting age were changed to 16, we could all wheel out examples—the hon. Member for North Durham (Mr. Jones) made this point in his speech—of 14-year-olds, and perhaps even of 12-year-olds, who are intellectually capable of voting. There is no logical place to stop once one separates being an adult and being able to vote. That is a simple concept, and advancing straw man arguments that no one on this side of the argument has made does not help the debate.

Mrs. Laing: As I am sure that you will warn me in a moment, Mr. Deputy Speaker, we must concentrate on the subject of the debate. Nobody has suggested that 16 and 17-year-olds are too ignorant to vote. Voting is a right, a duty and a privilege. Many people do not bother to exercise that right, and I suggest that they display a degree of ignorance, because they do not bother to engage with the democratic process. Sixteen and 17-year-olds who are waiting until they are 18 and who are getting ready for full citizenship are certainly not too ignorant to vote.

Mr. Stewart Jackson: Will my hon. Friend give way?

Mrs. Laing: If my hon. Friend will forgive me, I must make progress, because many hon. Members want to speak and time is getting on.

As we teach our children when they are young, and as we suggest to young people as they approach majority, there are many things in life that we value all the more because they are worth waiting for, and exercising one's vote is one of those things. In response to the points raised by the hon. Member for Leyton and Wanstead (Harry Cohen), I mentioned a young councillor, Rebecca Cohen, who is 19 and who was elected to Epping Forest district council just a few weeks ago. At 19, she is well able to take on that position, which she is doing extremely well. However, I do not think that she could have done it properly at 16 or 17. Having reached the maturity of 18, and having taken a little longer to gain some experience of the world, she is fulfilling that post very well at 19. None of us is trying to stop young people becoming fully engaged, which we want to encourage at all times. Earlier, a Liberal Democrat Member suggested that if we do not change the law, we are saying that 16-year-olds and 17-year-olds are incapable or unworthy. Just as I have argued with the hon. Member for Leyton and Wanstead that they are certainly not too ignorant, they are not incapable or unworthy.

My main argument against the Bill concerns the question of rights. Correctly, we often discuss rights in this House, but whenever we create a right, there must be a corresponding responsibility. If there is no responsibility, then there is no right, because rights without responsibilities are meaningless. By giving people the right to vote, we are also conferring on them the burden of the responsibility to vote. I argue that 16 and 17-year-olds are gradually given plenty of responsibilities as they move on through life and grow up. It is not right to pile on all those responsibilities at once. Children of younger age groups have to be protected and 16 and 17-year-olds still have to be nurtured and helped along the way while they gradually make the transition from childhood to adulthood.

There is a lot of evidence from recent polling and the Electoral Commission's recent review to show that there is absolutely no need to lower the voting age from 18 to 16. I was interested in the arguments brought forward by the hon. Member for Cardiff, North, but she did not produce any piece of evidence that made me doubt my position for one moment. I thought that she might cite evidence that might make some of us think that the issue should be pursued, but she did not.

Mr. Harper: On the subject of evidence, I have just been perusing some details that might interest the hon. Member for Cardiff, North (Julie Morgan). In March 2003, a GfK NOP poll of electors in Wales for HTV, the local ITV station, found that when asked directly whether the age for first-time voters should be reduced from 18 to 16, 77 per cent. of people were opposed. Among 18 to 24-year-olds, the figure was 66 per cent.; it rose to 88 per cent. among older voters. The Electoral Commission's report found similar levels of opposition, as well as indifference among younger voters. The evidence is clear.

Mrs. Laing: I thank my hon. Friend for that helpful piece of evidence.

In its recent review, the Electoral Commission concluded that there is "insufficient justification" for a change to the voting age. I was amused to hear my hon. Friend the Member for Forest of Dean mention that excellent, wise and experienced politician who said that he was not sure whether he would always want 16-year-olds to do all the things that they can do. That was Tony Blair, and he was right. I wonder whether the hon. Member for Cardiff, North wishes that he was still here to give her party some guidance.

Julie Morgan *rose—*

Mrs. Laing: I am anxious to conclude, but I will of course give way to the hon. Lady, whose Bill this is.

Julie Morgan: I shall be brief. Will the hon. Lady acknowledge that, whatever else she says about the Electoral Commission, it did say that the issue should be considered again in five years' time—which is now?

Mrs. Laing: I said in my opening remarks that the matter should be reviewed.

In conclusion, I should say that getting the right to vote is one of the rites of passage from childhood to adulthood. It is one of the issues that marks a change from a restricted lifestyle to total freedom—from childhood along the gradual path to full citizenship. Eighteen is the right age for that, and therefore 18 is the right age at which people should be given the vote. We will not encourage young people to become more involved and exercise their votes once they have them by changing the system, but by giving them something to believe in and a political system that they can trust.

We need to show, through the example of how we deal with matters in this place, that young people can have confidence in our democratic process and may wish to become part of it in due course. We need to let them know that casting a vote will make a difference. I say to those who are 16 and 17 now that if the next general election comes when we expect it—sadly, that is two years away—they will then have the right to vote. I sincerely hope that they will have a real choice on how to make a change for a better Britain; my hon. Friends and I will do all we can to bring that about.

1.9 pm

Harry Cohen (Leyton and Wanstead) (Lab): I congratulate my hon. Friend the Member for Cardiff, North (Julie Morgan) on doing the House and indeed the country a favour by promoting this Bill. Despite the voices speaking against her proposal of votes at 16, I think that she is on the right side of the argument and that increasingly people will come to agree with her that this change in electoral law should be made.

It is interesting to follow the hon. Member for Epping Forest (Mrs. Laing), who is my near neighbour; I appreciate the work that she does. The whole tenor of her speech was that from the ages of 16 to 18 people are serving an apprenticeship to vote. The thought went through my mind—what part is the apprenticeship for? Is it the bit of the cross that goes from left to right or the bit that goes from right to left? That is what a vote is—it is a pretty simple act. *[Interruption.]* It is an important act—of course it is—but it is not difficult; people of all ages make decisions on their feelings about what is important to them. I think that people can be mature enough at 16, presumably like the girl who is to be employed by the hon. Lady, and who seems to be a very bright girl who has finished her schooling and got all the qualifications and is now getting the work experience. How can one say that she is too ignorant to vote or not ready to do so—that she needs an apprenticeship? She is ready, as are many other young boys and girls in her position.

Mrs. Laing: The girl I used as an example does not think that she is ready to vote. She thinks that she will be when she is 18, but not yet.

Harry Cohen: From what the hon. Lady said, I think that the girl would be a lot more qualified to vote than many people in the general population.

I agree with the hon. Member for Forest of Dean (Mr. Harper) that there needs to be a cut-off point. Clearly, someone of 14 will not have the educational skills of that girl of 16.

Mr. Harper: The hon. Gentleman clearly thinks that 16 is the right age to be able to vote, but no lower, so I hope that he will explain why a 15-year-old does not have the necessary qualities. Are they too ignorant? That is the logic of what he has been throwing at me and my hon. Friends. We have all met people of younger than 16 who have opinions and are very articulate, but that does not mean that they should all have the vote.

Harry Cohen: That is not the logic of what I am saying. I agree that there should be a cut-off point, which in my opinion is clearly 16. I agree with the hon. Gentleman that it is about the difference between childhood and adulthood. Under 16 is deemed to be childhood for all the important issues, and 16 and over is deemed to be adulthood.

Mr. Kevan Jones: I am very fond of my hon. Friend, as he knows, but he is defeating his own argument. If he is arguing for a cut-off point, as he calls it, at 16, what is to stop people saying in a few years' time that 15, for example, should be the voting age, especially in light of the fact that we meet—I am sure that he does when he goes into schools—some very opinionated and well-informed 14 and 15-year-olds?

Harry Cohen: In a democracy, there is nothing to stop people arguing for what they want, but there are some clear indicators that 16 is the cut-off point where the vote should be granted—leaving school, for example.

Mr. Newmark: Unfortunately, as we have seen, particularly in the past 10 years, many people leave school at the age of 16 who still do not even understand the basics of reading, writing and arithmetic. The fact that they leave school at 16 should be no basis for the hon. Gentleman's argument. My 14-year-old daughter Lily is a particularly sophisticated person when it comes to politics. Under his argument, why should she not have the vote? I still do not understand his argument.

Harry Cohen: Leaving school is one of the factors in my argument, but I point out to the hon. Gentleman the young lad whom I saw yesterday in the Select Committee on Work and Pensions. We were holding an inquiry into carers, and this young man was a carer who had cared for his parent, a very ill woman. He is not as bright as the girl whom the hon. Member for Epping Forest is going to employ—he will not have the same academic qualifications—but he will have grown up through that role. He has now left school and is going on to college, and I think that he was mature enough to have the vote at 16. Leaving school is just one of the indicators, but it is an important one because it leads us to the next one. People can start work at that age, and the point about no taxation without representation comes into play.

Mr. Kevan Jones: Again, my hon. Friend has just shot down his argument in flames. Are we not as a Government trying to legislate to keep people in education until the age of 18? He is arbitrarily using the leaving age of 16, but increasing the age to 18 justifies the voting age remaining at 18.

Harry Cohen: I do not think that my hon. Friend has understood what the Government are proposing. The Government are not proposing to keep all children in school until they are 18, but to give them other training courses at colleges and the like. My point is that we often put work and skills, or work and full-time education together. Once we get into that area—and it comes into play at 16—there should be an eligibility to vote.

Mr. Harper: The point made by the hon. Member for North Durham (Mr. Jones) is important. Only 5 per cent. of 16-year-olds and 17 per cent. of 17-year-olds are employed and paying income tax, while 89 per cent. of 16-year-olds and 68 per cent. of 17-year-olds are still in education. The idea that everyone leaves school at 16 and should get the vote just does not hold water.

Harry Cohen: That still means that a substantial number work from that age and pay taxes, which means that they should have a say and have a vote, under the principle of no taxation without representation.

Mr. Love: I will probably make the first intervention in agreement with what my hon. Friend is saying, which is partly my reason for making it. If we consider the issue in an historical perspective, it is the change of attitudes in society that has led to the move from a property-based franchise to all men being allowed to vote. We then moved on to women, and then we changed the age range. That age range is going down, and as society's attitudes change, we change along with them.

The question is whether society is yet ready, and there are two factors involved in answering that question. The first is whether young people are agitating for such a change. I would have to admit that the Opposition are right in saying that there is not enough agitation among 16 and 17-year-olds for this change. The other factor is the role of Parliament. Many people have said today that we should take a lead. As a minimum, we have to have the debate, but as it continues, I think that attitudes will change and we will become much more supportive of that change.

Harry Cohen: I agree with my hon. Friend about the trend favouring this measure.

Lynne Featherstone: Before the hon. Gentleman leaves the point about a change occurring at the age of 16, let me point out that a positive effort is made to change the nature of teaching for those who continue in education or training after 16. It is not the same as learning by rote. Another leap occurs when young people go on to university. There is acknowledgement of the change that occurs at 16.

Harry Cohen: That is a good point. Education at 16 effectively becomes adult education.

Mr. Evans: When is somebody an adult? If the hon. Gentleman thinks that 16 is the right age, should not people be able to drink and smoke at that age? When I refer to "Pulp Fiction", I do not mean the next Labour manifesto, and when I mention "Reservoir Dogs", I do not mean Government Back Benchers; the reference is to two movies that 16-year-olds would not be allowed to see. Does he believe that the 18 certificate should be a 16 certificate?

Harry Cohen: I have said that there are many inconsistencies. People are not allowed to take drugs at any age. Does that mean that one is never an adult and can never have the vote? The inconsistencies need to be tackled. A good point was made earlier about what is best for public health.

A general indicator of adulthood should be the age at which people have the vote. People can leave school, go to work, pay taxes, join the armed forces, get married and have sex at the age of 16. I was worried by the implications of the argument that the hon. Member for Forest of Dean presented when I intervened on him. We rightly have strong laws about sex with children, who could be taken into care if they have sex. However, according to the principle that he enunciated, if one is a child at 16 and 17, people could get married and be done for child sex.

Mr. Harper: Although the Sexual Offences Act 2003 provides a general right of consent to have sex for those aged between 16 and 18, sex is not allowed with someone who is in a position of trust over them. The law does not allow those between 16 and 18 to give consent in those circumstances. It recognises that they are in a special position of being vulnerable. The law does not do what the hon. Gentleman claims. The House has legislated to acknowledge that 16 and 17-year-olds are in a more vulnerable position than 18-year-olds. It is not right to say that they are adults.

Harry Cohen: The hon. Gentleman outlines a special case. It is right to say that 16-year-olds are adults, because people who are not in the position that he refers to can get married.

Mr. Newmark: The hon. Gentleman tries to make the point that people can join the armed forces and get married at 16. That is not true—one needs parental consent to join the armed forces or get married at 16.

Harry Cohen: That point was made earlier and tackled effectively. When children are already on the path to adulthood, a parent would not want to stand in their way, and in most cases they do not. However, the point is that they can join the armed forces and get married at 16.

We have improved our citizenship education. The position is different from that in the United States, because we want our youngsters to be registered and take part, whereas the US has a history of keeping many people—because they are black or vote the wrong way—off the registers. Some systems are quite corrupt there. Our citizenship education should encourage youngsters to take part. The best way of doing that is to give them a vote to make participating realistic.

We used to say that young people did not do well at school because they did not have a job to go to at the end of it—they would be unemployed, which did not give them an incentive to work. We always used to say, "If they know they're going to work and they've got a future, they'll do better at school." The same applies with citizenship education. If young people know that they have a vote and can take part at an early age, they will do well in that subject and schools will be incentivised to ensure that citizenship and civics education reaches a higher standard.

Mr. Kevan Jones: I am grateful to my hon. Friend for giving way again, but is he really trying to tell the House that he meets 16 and 17-year-olds in schools in his constituency who tell him that the one thing that they are looking forward to on their 18th birthday is getting the vote? The 16 and 17-year-olds I meet are looking forward to drinking legally when they are 18, rather than voting.

Harry Cohen: That is a problem, and perhaps we should be reshaping views. Earlier, my hon. Friend the Member for Foyle (Mark Durkan) whispered in my ear about the media being keen to make young people apolitical, and he was right. However, we have an opportunity to bring young people away from celebrities and binge drinking, and make them more interested in things that they are concerned about—as my hon. Friend the Member for North Durham acknowledged, many youngsters are concerned about the environment, third world development and so on.

Mr. Jones: I agree, but let us be honest: groups of 16 and 17-year-olds will not be tuning into the parliamentary channel tonight to watch this debate. They will be watching "Big Brother", which is far more entertaining than what is happening in this Chamber.

Harry Cohen: I agree—nobody will be watching this, from any age group. But young people should have the right, and in a close election that is an important right.

We legislate on a lot of things affecting young people that are often very punishing towards them—antisocial behaviour orders come to mind. We have only just got round to putting much more money into youth clubs and youth facilities in recent years, which is the carrot as opposed to the stick. If youngsters had had the vote and we had been forced to listen to them, we would have legislated and put the money into that approach much sooner than we have done. It is important that youngsters can put forward what they want and what they think is right. It is important not just that we listen to them—rather than perhaps not having to listen them—but that we have to listen to them because they have the weight of the vote to help us.

The other point, which my hon. Friend the Member for Edmonton (Mr. Love) made, is that 40 years ago, 18-year-olds got the vote, and 16-year-olds in our society are every bit as mature as 18-year-olds were then. On top of that, we have the internet and social networking, and, to be fair, television and the media, when they can raise their sights a bit from celebrities. Young people are aware and can take part in a proper election in an informed way.

Those are the main points that I wanted to make—I could have read some very effective quotations from the "Votes at Sixteen" campaign and the Power commission, which was set up by the Joseph Rowntree Foundation, recommending votes at 16. I see that the Prime Minister has moved away from that quotation by the former Prime Minister and said that we would listen to young people with a view to seeing whether the law should change. I think that that is a straw in the wind, which my hon. Friend the Member for Cardiff, North has picked up, that we will come to vote for 16 and that it will be the right decision.

1.29 pm

Lynne Featherstone (Hornsey and Wood Green) (LD): I should like to start by bringing the voice of a young person from my constituency into the Chamber today. He is a member of the Youth Parliament and he has sent me a paragraph that he has written on this subject. He says:

> "As an elected representative of the young people of Haringey, I have first hand experience of their passion, energy and commitment: the energy they use to serve our community, the passion with which they view the world and its future and the commitment which they use to contribute to our society. If we look back over the decades, there are countless cases and examples of people rising up and fighting for their basic human right—the right to vote! I, like many of my constituents, am 16. I can join the army, get married with parental consent and get a job. Yet I cannot have a say on who leads the country I seek to defend, the country I have set my roots in for life, and the country whose economy I seek to boost. For if we are to deal with and eradicate the problems that are teenage pregnancy and anti-social behaviour, we must talk to young people. We must engage with them, we must consult. We have spent too long on the sidelines, it's time now for young people to come and take a stand"—

and have the vote. He goes on to say that young people want

> "to make a difference and seek to positively contribute to our community. I ask Parliamentarians to give us that chance, allow us to make a difference and contribute, allow us to become

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> pivotal members of the community. For if we achieve that, we will set ourselves on a path that will lead to the truly cohesive and positive community we strive to live in."

That was written by a 16-year-old boy, Adam Jogee, a member of the Youth Parliament. If it was down to me, I would give him the vote.

We have been asked to consider a very simple question today: are 16 and 17-year-olds old enough to vote? Looking at them in general, I would say that they were as likely to use their vote at least as well as the rest of us. By not letting them vote, we are saying to them that their voice and their views do not have equal weight with the rest of us, at least not in real terms, because we are not giving them the ultimate power that the democratic mandate would give them. We want young people's participation—we create youth councils and the Youth Parliament, and they are all very valuable—but when it comes to the crunch, we pull away and say, "No, you are not old enough for that."

Mr. Harper: I listened with great care to the comments of the hon. Lady's 16-year-old constituent. I am sure that she also has 14-year-old constituents who could have written something equally eloquent. Why then should the 14-year-olds not be able to vote, too? Once we separate voting from the age at which someone becomes an adult, there is no fixed point. We could end up reducing the age right down to primary school age.

Lynne Featherstone: The hon. Gentleman has made that point a number of times today. However, everyone on the other side of the argument has said that 16 seems to be a reasonable point at which to be able to choose to do some of the things that are not harmful, and potentially beneficial, for 16-year-olds to do, as opposed to some of the more harmful things, which are left until the age of 18.

I am hoping to persuade hon. Members that not giving 16-year-olds the vote contradicts the aim of much public policy that is targeted at this age group. We have heard about some of the responsibilities, burdens and freedoms of adulthood that are conferred at the age of 16. These arguments have been well rehearsed, but they do not lose impact through repetition. Some of the greatest adventures in life begin at 16, if young people can wait that long; not all do. We judge people of that age to be mature enough to make big choices. This is not just about getting married and having babies, although I can think of no greater responsibility than bringing a child into this world. It is also about safer sex and about young people's own sexuality. With their parents' consent, they can select a partner for life, get married or enter into a civil partnership. We want them to lay the foundations for their future at that age. They can choose their A-level and AS-level subjects, or their professional qualifications.

I would like to correct something that was said by Conservative Members, who said that it was Liberal Democrat policy that young people should not be able to join the Army until they are 18. That is erroneous. We take the same view as the Government and the law of the land, which is that a young person may join the Army at 16 but should not be sent to the front line until the age of 18.

We acknowledge the potential independence and self-determination to which 16-year-olds are entitled, according to the law as it stands. They can leave home, take up full-time employment and, as we have heard, pay tax. As for the activities that are restricted to 18-year-olds, I certainly think it would be unwise to allow people under 18 to enter into legal and financial contracts such as credit agreements. Embarking on binding agreements without the necessary wherewithal, or without the ability to appreciate the consequences, can have significant results. My own children have, at that age, mastered half the equation—borrowing the money—but not the other half—paying it back.

Mr. Harper: The hon. Lady has said that people under 18 do not fully appreciate the consequences and the full import of signing a contract, and that it would not be right to expect them to. If they are not capable of doing that, why should they be capable of deciding who governs our country?

Lynne Featherstone: That question lies at the heart of the issue, and we have been going at it all day in one way or another. The hon. Gentleman and I see different horses for courses. I believe that the vast majority of 16 and 17-year-olds are intelligent enough to vote, but it is not just a case of intelligence, as I shall explain later in my speech.

We are all making different judgments about what we feel is suitable at a particular age. I suspect that the hon. Gentleman may have a legal background—

Mr. Harper *indicated dissent.*

Lynne Featherstone: No? Well, I am very impressed.

Stephen Williams: He is an accountant: a fine profession.

Lynne Featherstone: That is even worse!

The hon. Member for Forest of Dean (Mr. Harper) and I will have to agree to disagree about what is appropriate at what age. It could be argued that the perils of signing legal contracts are less than those of deciding to have sex, but there is a crucial difference, in that one of those decisions is determined by hormones. Any increase in the age of consent would be practically unenforceable as well as hugely unpopular, which is why we seek to educate 16-year-olds so that they can make informed choices about sexual relations.

Eighteen is the age at which consumption of alcohol and cigarettes becomes legal, and the reasoning behind that is sound. Those are harmful practices, and although there is a limit to how long someone can be restrained from indulging in them, we have a moral imperative to protect our young. We should do all that we can to protect them from the consequences of starting to smoke, and to encourage sensible alcohol consumption. Here is the rub. Eighteen is the age of majority for certain activities. Do we really equate the risks of voting with those of tobacco and alcohol consumption?

Mr. David Burrowes (Enfield, Southgate) (Con): I am interested by the distinction that the hon. Lady has drawn in relating age to harmful practice. Does she consider the use of credit to be a harmful practice? Why must individuals be 18 to obtain consumer credit?

Lynne Featherstone: I would argue that using credit can be a very harmful practice. Many young people go on to get into terrible debt and terrible trouble. Perhaps that is an area in which we should extend protection.

The strongest argument for extending adult suffrage goes to the heart of what our democracy means. We can truly represent the people only when the people whom we represent elect us and, for that to happen, I would argue that we should be elected by the widest possible group. However, we must also consider the issue of legitimacy. As I said earlier, 16-year-olds pay income tax. Is it really right for us to tax a group of people whom we exclude from voting? Our Parliament learned the hard way the consequences of taxation without representation. Not allowing 16 and 17-year-olds to have their say is a complete abrogation of that principle, and seriously undermines our authority to govern. I have not heard a single person who has argued against lowering the voting age argue simultaneously that we should raise the age at which income tax is taken. As we have heard from all quarters, if a young person is mature enough to pay tax, he or she is mature enough to vote.

A cornerstone of our democracy is that voters can put a cross on a ballot paper for any reason they like. We do not make them take an exam on why they are doing it. What is emerging from the debate is the fear of what they might do if given their head. This year we celebrate the 90th anniversary of votes for women, and I looked through the record of debates in the House to see if I could find any parallels with today's discussion. I was taken with Sir Frederick Banbury's comments on why women should not be allowed to vote. He said:

> "Women are likely to be affected by gusts and waves of sentiment...Their emotional temperament makes them so liable to it. But those are not the people best fitted in this practical world either to sit in this House... or to be entrusted with the immense power".—[*Official Report*, 19 June 1917; Vol. 94, c. 1645.]

He was talking about the power that the vote would bring. Thankfully, he was in the minority, and, luckily and happily, I am entitled to be full of as much sentiment as I care to be.

I was struck by the paternalistic overtones of the argument, which bear a striking resemblance to today's debate. I am talking not about the comparison with women having the vote—I, thus, save the hon. Member for Forest of Dean having to leap to his feet to point out again that 16-year-olds will grow into 18-year-olds—but the arguments against. The reasoning then was the men knew better than women, and before that the reasoning was that the upper classes knew better than the working classes. Thankfully, those myths have been dispelled, as I hope the myths about young people getting the vote will be.

Mr. Stewart Jackson: The hon. Lady is making a completely fallacious comparison. Women were imprisoned, and, in some cases, they were tortured and they died. They sacrificed their own lives and chained themselves to parts of this building to secure, rightly, the universal franchise for both genders. That bears no comparison with whether a 16-year-old or a 15-year-old can be bothered to fill in a form so that they can vote in 2008.

Lynne Featherstone: We will have to disagree on the matter.

David Howarth: There is a direct parallel, because the main reason cited for not giving women the vote was that they were dependent, and nearly all the arguments that we have heard today for not giving the vote to 16-year-olds, as opposed to 18-year-olds, have been that between young people between the ages of 16 and 18 are still, in some way, dependent. The arguments are exactly the same.

Lynne Featherstone: I thank my hon. Friend for making such an important contribution. Young people lack experience, but I am not sure that that is the right bar to voting; quite a lot of older people lack experience. Political opinion evolves as we get older, and a significant proportion of people in their 40s vote differently from how they did when they were in their 20s. That might be because of changes in their family situation or personal circumstances. We accept that sort of evolution—unless it starts at 16.

In conclusion, teenage knife crime, under-age drinking, teenage pregnancy, bullying, drug misuse, antisocial behaviour, and gang culture involving guns and knives are just a few of the issues where failing public policy desperately needs the input of younger people. There is a chronic disconnection between Westminster and young people, and in some ways we need them and their input, in a democratic way, more than they need us. A voting system based on patronising paternalism does nothing to build desperately needed bridges with our youth, and it is arguable that if we continue to treat young people as children, they will continue to act like children.

1.43 pm

Mr. Andrew Love (Edmonton) (Lab/Co-op): I shall be brief, because I know that many other hon. Members wish to contribute. I congratulate my hon. Friend the Member for Cardiff, North (Julie Morgan) not only on having the good luck to be successful in the ballot, but on the crucial subject that she has chosen. More importantly, she should be congratulated on sparking a debate in this Chamber that is long overdue, and I hope that it will not be the last debate that we have on this issue.

The timing of this debate is very appropriate, because in almost his first act on taking the post, my right hon. Friend the Prime Minister set constitutional reform as one of his priorities. This Bill proposes the archetypal constitutional reform. I am sure that the Minister will talk about the "Governance of Britain" Green Paper, which addresses issues relating to young people. It is focused primarily on reinvigorating our democracy. I think that everyone in the Chamber would welcome a reinvigoration of our democracy, and it has to include young people.

The crucial issue for me is that we ask young people to take on many duties and responsibilities in our society. If they are going to take such momentous decisions as whether to get married or have children, or even to join the Army—even if they are under supervision, that decision can lead to terrible consequences—it is not too much to ask them to take on the responsibility of voting.

We have been told today that young people do not want the vote. I am sure that all hon. Members have experienced school visits on which the pupils seem lethargic in their attitude to political debate, but they

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are not nearly as lethargic as some of those who respond when I knock on doors in my constituency. So I am not sure that that is a good argument.

A substantial argument that we should heed is that most of the main youth organisations have given some priority to this issue. We know about the Welsh and Scottish experiences, and some 600,000 people took part in the Youth Parliament elections, which suggests that those young people were ready for democracy and had the capability to exercise the right to vote properly. I had the privilege some years ago to welcome the first new youth member of my party in my constituency, which was not known for the number of young people who take an interest, but we now have an effective youth section. Young people are interested, and we need to foster that interest.

We have talked about the Electoral Reform Society, Unlock Democracy and other organisations that take a deep interest in our democracy. They have all been campaigning in support of the proposed change and of a recognition of the contribution that young people can make, and we should underscore that work today.

Young people are often accused of not being well informed or being insufficiently articulate to reflect political issues or make judgments about political parties. However, although that argument undoubtedly applies to some young people, it also applies to many adults. In the case of some people who have been exercising the right to vote for a considerable time, I wonder how they have reached the judgments that they have on how to vote at elections.

The reality is that our young people, including 16 and 17-year-olds, are better educated than any previous generation. We could have a debate about the quality of A-levels or how easy it is to get into university or adult education, but when I went to university 6 per cent. of my cohort did so. Today, that figure is 43 per cent. and we are trying to get it to 50 per cent. The level of general education is much greater now, and that is one of the critical changes in society that we must recognise.

We also focus on citizenship in the curriculum, and it is now a compulsory subject. I could go into detail about the subjects that are covered, but it should be generally accepted that the kids who study it—even if some of them fall asleep during class—will have a better grounding in what democracy is about and what putting a cross against the name of a party candidate will mean to their community.

Mr. Kevan Jones: I do not disagree with what my hon. Friend has just said about pupils getting a better understanding of democracy, which we should all encourage and in which we should play our part as Members of Parliament, but does he think that they would be enthused about the fact that they could democratically cast a vote at 16?

Mr. Love: Some of them will be enthused and others undoubtedly will not. Are the general electorate always enthused? Clearly, in 2005 and particularly in 2001, a very large number of people were not enthused. Deciding what makes people participate is a complex issue, but my hon. Friend got fairly close to it when he remarked earlier that competition between political parties and people feeling that their votes will make a difference to who is elected to government affect how people respond to general elections, and young people are no different from adults in that regard.

Greg Clark (Tunbridge Wells) (Con): Does the hon. Gentleman share my constituency experience that, far from young people being more apathetic than older people, the letters that we receive about major international policy issues tend to come disproportionately from young people, rather than the older generations?

Mr. Love: I agree, and I mentioned earlier my experience when I am interviewed by young people at school. One of the clear themes is their concern about international development issues, and the environment also plays a big role in young people's attitudes. Whether that happens at the age of 16 or 18 is what we are here to judge. My experience is that young people, from a very early age—much earlier than 16—begin to comprehend the seriousness of these issues, and we have to judge when they are capable, as a group, to exercise some influence over the decisions taken by those who are elected to Parliament.

I want to talk briefly about the consequences of extending the vote to the 17 and 18 age group. We must take into account those important considerations. This is in no way to reject all the earlier statements, but I believe that the political process and politicians will take young people more seriously if they have the vote. All the hon. Members who intervened on that issue have said, "If a young person comes to me, I will respond." I am sure that that is true, but if those people have the vote, hon. Members will go out there to find them; they will not wait for young people to come to them. Hon. Members will be metaphorically knocking on young people's doors and trying to ensure that they can persuade them to give their support.

Mr. Harper: I do not know about the hon. Gentleman, but I am certainly well aware of the fact that young people who are 16 and 17 at the moment— indeed, this applied when I was first elected—will be able to cast a vote at the next general election if it is not held for two years. I do not know what he does, but I go out there and meet as many of them as possible, and I try to give a good impression. I suggest that, if he is not doing that, he had better do so or he might not find himself coming back here.

Mr. Love: Lots of comments have been made about what might or might not happen in a year or two. No doubt, when we get closer to the time, there will be some very sturdy and robust debates about that, but I assure the hon. Gentleman that I go out to try to engage with young people, because they are the future generation, and if they do not have the vote now, as he says, they will have it in the future. They are a harbinger of changing societal attitudes, and we as politicians have a duty to learn from them, because that will help us to decide on issues in the future.

I want to mention two other consequences. Manifestos will begin to reflect some of the issues that are particularly pertinent to young people. Over time, we will see a strengthening of our commitments to the environment and to third-world poverty issues, to take two examples, because they are of great concern to young people. I do not say that that is good or bad. What is undeniably good is that we will place on the agenda the issues on which there is perhaps not enough emphasis. That will be one of the real consequences of extending the vote to 16 and 17-year-olds. Young people will take an interest in the manifestos that we produce and will make sure that we live up to the commitments that we make in them.

There is a lot of talk about denying the vote, and people have asked how we can deny it. I want to repeat some of the arguments, because they are important. I will not go over the issue of taxes and national insurance; that has been covered fully. However, there is the issue of marriage to consider. People can get married at 16. It is perhaps the single most important decision that anyone will take in their lifetime. If that is not the most important decision, perhaps it is the decision to have children, and, again, people can decide to do that at the age of 16. That is a momentous decision for young people to take, and it seems to override almost any other decision that they may take.

Jo Swinson: I wonder whether the hon. Gentleman would agree with the comments of my 14-year-old constituent, Catherine Kieran? She contacted me about the Bill and said that it is

> "appalling that you can get married, live in your own house and have children at the age of 16, yet you can't vote."

Is that not an example of how ridiculous the situation seems to the young people in our constituencies?

Mr. Love: That shows the gap that exists in perceptions. A lot of young people are saying, "We are being asked to take decisions and to act responsibly. We have duties placed on us by society, yet when we say that those duties should be extended to voting, it raises questions, and people say, 'Oh no, you're just a child.'" Suddenly the young person is "just a child", although they can do many other things.

Mr. Kevan Jones: Is not the logical conclusion of that argument that we should reduce the age at which everything else can be done to a common age of 16, including the right to drive, drink alcohol, own firearms and, if we follow the Liberal Democrats' view, appear in pornographic movies?

Mr. Love: I will not take up all those issues, but let me take up the issue of smoking. As our understanding of the impact of smoking on health has developed and improved, society's attitudes towards smoking have changed. For example, in all those wonderful 1930s Hollywood film noir movies, the detective or lead lady would smoke a cigarette. The reality is that smoking was much more socially acceptable then. That is mainly to do with the medical evidence available to us about the consequences, rather than with any decision about the age at which things should be allowed.

Mr. Jones: I am sorry, but the argument cannot be put in that way, unfortunately. The hon. Member for East Dunbartonshire (Jo Swinson) has just mentioned the age of 16 as though it were somehow a great watershed. If someone wants to kill themselves by smoking themselves to death, what is the difference between doing that at 16 and doing it at 18?

Mr. Love: I could go into that. I could take the libertarian position, and say, "If you want to kill yourself, please go ahead, but do not spoil things for everyone else." I do not take that view. I think that we have responsibilities to society. We have to send signals, and sometimes those signals can erect reasonably substantial barriers; that is right and proper in circumstances on which we can justify the position to the electorate.

David Howarth: Is not the answer to the hon. Member for North Durham (Mr. Jones) that becoming an adult starts at 16 and ends at 18? The question before us is where to place the right to vote in that process; do we place it at the start or the end of it? Placing it at one point rather than another does not have any implications for any of the other questions involved in the process.

Mr. Love: That is the nub of the issue for us. I do not think that we will resolve it today. Clearly, there are differences in views. I accept that other people take a different view from mine and I understand that they can justify that view in various ways. That is part of the debate. It is critical that we are having the debate. As we move on, and as the debate develops and becomes more sophisticated, I hope that we will move towards the lower end of that spectrum rather than the upper end. I remain an optimist.

Another issue that I wanted to raise was joining the forces and being sent to conflict situations. Although I accept and support the idea of the need for some guidance for 16 and 17-year-olds in the armed forces, I have two points to make in response. First, I had a cousin many years ago who was determined at the age of 16 to join the Navy. He was born and brought up in the Isle of Wight, which is right opposite Portsmouth, which has a long historic tradition of support for the Royal Navy. He was determined, against all the advice that he received from his parents. His parents gave in and allowed him to join on his 16th birthday. Within three weeks, he hated it, but he was in for four years and he had to suffer the consequences. At the age of 18, if there had been a conflict situation, he would have needed to enter into that conflict. The idea that parents will somehow prevent their children from taking decisions that go against their good advice and their wishes is not entirely accurate.

Mr. Kevan Jones: That is not the case. Just a few weeks ago I visted HMS Raleigh, the training headquarters for the Royal Navy, as part of the Defence Committee's inquiry into recruitment and retention. People can drop out throughout the 10 weeks after they join, so it is not the case now that his cousin would be there for four years.

Mr. Love: I thank my hon. Friend. My example was a slight metaphor, if I can put it that way. I am not talking about today; I did not know what the rules were. The incident happened more than 20 years ago. I was using it only to confirm that when the decisions for 16-year-olds are taken, on almost every occasion that 16-year-old will prevail even against the advice of their parents.

The other issue I wanted to mention is what happens when people join the Army or go into a conflict situation. Of course, there are rightly protections, as I mentioned, but having made the decision to join the Army, people

[Mr. Love]

have to say to themselves, "I am 16 at the moment. When I get to 18, I will be a soldier still, because you sign up for that period. If they want to send me to a conflict situation and I get wounded or killed, that is the responsibility I take on at the age of 16." That is an important issue that we cannot avoid in the attempt to suggest that those people are not taking critical decisions about their lives.

Mr. Harper: For clarity, it is not the case that if a 16-year-old joins the armed forces with their parents' consent they are then tied in. In the first six months of service, they have a statutory right to discharge, and after six months all under-18-year-olds can be discharged if they are unhappy with their service. What the hon. Gentleman is saying is not factually correct. There are some clear protections for those under 18 who join the armed forces. Clear and significant guidelines are provided to commanding officers about the level of care that they have to provide for those under 18 to recognise the special position that they are in.

Mr. Love: I thank the hon. Gentleman. I accept that the Army and the other forces take seriously their duty of care. I would not want to question that at all. I would also not want to question those people's right over a period to leave the Army. I am suggesting that when people decide to join at 16, one assumes that, unlike my cousin, they are generally happy with their Army, Navy or Air Force experience and therefore they do not leave. They have to make a judgment at 16, and if they are happy and stay until they are 18 they might end up in a conflict situation. They do not get asked at the age of 18 to sign to say that they are happy to go into a conflict situation. That is automatic.

Mr. Kevan Jones: I am sorry to intervene again on my hon. Friend, for whom I have a lot of respect, but he is just wrong. The hon. Member for Forest of Dean (Mr. Harper) is correct. I have sat on the Defence Committee for the past seven years and spent a year on the inquiry on the duty of care for young servicemen, covering issues such as Deepcut. Our armed forces now have a duty of care that is second to none in terms of parental responsibility. Not only do they ensure that parents are involved in the training, but those leaving care and going into the armed forces must have a guardian, who has a duty of care in the two years until they pass their 18th birthday.

Mr. Love: I defer to the superior knowledge of my two colleagues in the House, and I support the changes that have been made as a result of the events at Deepcut barracks, which had to be addressed. I fully support what has happened. I do not think that that gets away from my essential point: those people are taking decisions for their life at the age of 16.

I want to conclude, because other hon. Members want to contribute to the debate—and it is the debate that is really important. I think, if I may say so to my hon. Friend the Member for Cardiff, North, that that is the greatest contribution that she has made: getting the debate to happen. She mentioned, and I underscore it, that the Electoral Commission will carry out a further review this year, which will be important. The commission that the Minister will speak about will conclude next year and we will have a further debate. Those are opportunities for us to develop the discussion that we have had today. I am confident that we are moving in the right direction as societal attitudes change and we recognise the contribution that 16 and 17-year-olds make to our society.

2.6 pm

Mr. Stewart Jackson (Peterborough) (Con): It is a pleasure to follow the hon. Member for Edmonton (Mr. Love). On 23 February, I was privileged to attend as a key speaker the national conference of the United Kingdom branch of the Movement for Democratic Change in Zimbabwe, which was held at the Gladstone Park centre in the Peterborough constituency. I was among people who were crying out for democracy—people who are denied democracy and the right to vote for the candidates they want to vote for. That concentrated my mind when I prepared for this debate.

In the past month or so, I met the member of the Youth Parliament for Peterborough, Miss Hettie Davis, at Peterborough town hall. There seemed to be a gulf between those two meetings, because she talked not about votes for 16-year-olds, but about more prosaic but important issues for 16 year-olds in my constituency: bus services for young people, the cost of travelling by bus, the impact of school uniform grants being withdrawn, particularly on poorer families in my constituency, and the topical issue of the mosquito—not the insect that buzzes around and bites, but the audible equipment that is used to scare off teenagers in city and town centres. They were the big issues; we did not talk about a desperate desire to seek the franchise and to elect Members of Parliament and local councillors at the age of 16.

Although I congratulated the hon. Member for Cardiff, North (Julie Morgan) on securing the debate, I have been disappointed by the arguments that have been advanced by those hon. Members who have been in favour of this change. After all, we are looking at a significant and radical change to the status quo, an amendment to the Representation of the People Act 1983, and the biggest change since 1969, when the franchise was altered from 21 to 18.

Mr. Harper: I am listening carefully to my hon. Friend's experience of talking to a member of the Youth Parliament in his constituency, who focused on bread-and-butter issues that affect young peoples' lives. Does the fact that the Youth Parliament member was able to explain her concerns to my hon. Friend, who has taken those concerns to this House and explained them to other hon. Members, demonstrate that he, like many others in this House, takes the views of young people very seriously? Changing the voting age would not affect that.

Mr. Jackson: Exactly. It is not mutually exclusive to have cognisance of the views of young people at a constituency level and to hold the principled view that what we are talking about when we discuss the age of consent is a legal issue and value judgment rather than a gateway to adulthood through the granting of the franchise.

The paucity of firm evidence in this debate has been disappointing. We have heard lots of warm words—motherhood and apple pie—about engagement, enthusing young people, getting people involved in policy making and making a positive contribution to the community through voting. The hon. Member for North Durham (Mr. Jones) made a wise intervention on disengagement across the whole community. If a party states in its manifesto that it will implement a policy—the Liberal Democrats are as guilty of this as anyone else—such as not introducing tuition fees or holding a referendum on the significant constitutional change introduced by the Nice treaty, but does not introduce that policy once it is in power, people of all ages will be concerned. *[Interruption.]* The hon. Member for Romsey (Sandra Gidley) is concerned to get as many votes as she can given her majority, which she should consider before heckling me.

The hon. Member for Cardiff, North and other supporters of the Bill have failed to adduce any poll evidence. In my first intervention, I sought to elicit from the hon. Lady any definitive poll evidence that demonstrates her case. However, the opposite occurred when my hon. Friend the Member for Forest of Dean (Mr. Harper) mentioned the poll by HTV, which found that 66 per cent. of 16 to 24-year-olds are against the change that the Bill would introduce.

Jo Swinson: I want to quote from *Hansard* on 29 March 1928, when Colonel Applin stated:

> "There are at least 75 per cent. of the people of this country who do not want this thing rushed through now."—[*Official Report*, 29 March 1928; Vol. 225, c. 1392.]

He was discussing the right of women to have the vote. Surely the argument is not about whether polls say that people want a particular measure, but about whether it is right and fair.

Mr. Jackson: I take that argument on board, but it is a matter of competing value judgments—what one person considers to be fair and equitable and another person does not. If we were to deny the views expressed by people in opinion polls, we could do that across the spectrum of political issues.

Mr. Kevan Jones: Does the hon. Gentleman agree that the analogy between votes for women and this Bill is spurious? As the hon. Member for Forest of Dean (Mr. Harper) has ably pointed out, we are not discussing discriminating against people because of their sex. Sixteen and 17-year-olds will become 18-year-olds, when they will get the vote.

Mr. Jackson: The hon. Gentleman has made a pertinent and apposite point.

David Howarth: I want to point out to the hon. Members for Peterborough (Mr. Jackson) and for North Durham (Mr. Jones) that that was not the case with the Representation of the People Act 1928, which concerned the age at which women could vote.

Mr. Jackson: I am glad that the hon. Gentleman has intervened, because he and I attended a meeting of young people from Cambridgeshire a year ago as part of the changing places campaign to improve disabled facilities for young people in Cambridgeshire and throughout the country. Most of those young people were below the age of 18. We did not endeavour to act on their behalf with any less alacrity because they were under 18. We fulfilled our obligations as Members of this House to act for all people—whether they vote for us or not, and whatever their sex, religion, race or creed. That is the key point. The lazy assumption that if a person cannot vote at 16, their Member of Parliament will disregard them is patronising and completely untrue, as I have made clear in the example that I cited.

Mr. Harper: I want to take my hon. Friend back to the thrust of his argument. He drew attention to whether there was any evidence that the change proposed by the hon. Member for Cardiff, North in her Bill would lead to some of the outcomes that she suggested. The burden of proof should be on those who want the change, not on those opposed to it. Having listened carefully to her speech and all the other contributions, and having been here since the beginning of the debate, I have not heard any evidence that the change would lead to the results that the proponents of the Bill have put forward. The evidence is simply not there.

Mr. Jackson: My hon. Friend has made a typically eloquent intervention.

I move on to the issue of turnout. It seemed strange that at the outset of this debate, the hon. Member for Cardiff, North said that in proposing the Bill she was not in the business of driving up turnout. It seems a little disingenuous to take that view. It is all very well having warm words and buzzwords about engaging young people and involving people in the process, but there is no point in having all those aspirations if there is no demonstrable way to measure that involvement. As the academic David Denver, among many others, has made clear, the involvement of young people—it is certainly the experience of those between 18 and 24—is that they register and do not vote. There is no evidence that there would not be a commensurate decrease in turnout if 16 and 17-year-olds were allowed to vote. It is important that we realise that. Historically, when young people were not permitted to vote until they were 21, there were very high turnouts—84 per cent. in the 1950 election, for instance.

Julie Morgan: I repeat my earlier point: my purpose in promoting the Bill was not to drive up turnout. However, if young people voted at the ages of 16 and 17, turnout would be likely to go up.

Mr. Jackson: We are trying to debate on the basis of evidence; with all due respect, aspirations and hopes do not make powerful arguments.

Mr. Harper: The argument for lowering the voting age is interesting. I have been reading an interesting article from the journal *Representation* by a chap called Alex Folkes, the campaign manager for the "Votes at Sixteen" campaign. He stated that the most important argument in favour of lowering the voting age was that

> "it will re-connect an entire generation of young people with our country's democratic structures."

According to the campaign in favour of it, the basis of the Bill is indeed that it will involve people and drive up turnout. However, the campaigners have no evidence, from this country or elsewhere, that that will happen

Mr. Jackson: My hon. Friend makes a valid point: anecdote does not prove the case. We all have anecdotes about the young people with whom we come into contact. One of the myths that we should kill right now is that there is somehow an arrogance or disdain towards young people's views among those of us who take the view that 18 is the appropriate age. Nothing could be further from the truth. After all, as my hon. Friend the Member for Forest of Dean said, the onus is on the other side to prove that the change should take place.

Greg Clark: Does not the point about turnout reassure my hon. Friend in respect of some of his criticisms of the Bill? If turnout is low, does that not imply that the people who will be motivated to vote will be those who have taken an interest in the arguments and debates, and that in the overall picture a greater contribution will be made by those qualified to contribute? That should assuage some of my hon. Friend's general worries.

Mr. Jackson: My hon. Friend, in his normal erudite manner, pinpoints the issue and leads me on to the next part of my speech.

The Bill seems almost to have been conceived in a bubble in that it does not reflect societal change. It is a sign of a healthy and mature democracy if people choose not to vote in an election. We have the ability to vote or otherwise. We should concede that people live with mass media and with other pressures of time, work and leisure apart from politics and voting, which we think so important. Do not get me wrong—it is enormously important: I think of all those people throughout the world who have been imprisoned, tortured and died for the right to vote. Only last year we celebrated the abolition of slavery, and there are many liberation campaigns that we would all support. However, it is a sign of a healthy society that people can choose not to vote. It is not appropriate that we should corral to vote at the age of 16 people who are frankly not interested. That is not to say that they will not be interested in future.

Greg Clark: The point of the arguments that are being made is that no one will be corralled into voting—they will have the choice about whether to do so. People who are motivated to take an interest in the political process will have the opportunity to vote, but by no means will they be compelled to do so.

Mr. Jackson: The slight flaw in my hon. Friend's argument, if I may say so, is that there is no independent evidence to suggest that the natural corollary of the change would be that those young people would vote. The evidence is strongly in the other direction—that they would abstain from voting.

The political system is primarily about electing, at Government level, Members of Parliament to the House of Commons. I agree with the hon. Member for North Durham that we should not have people popping in to sit here as in a glorified theme park and pontificate as pseudo-Members of Parliament. That is not what we should be encouraging. There is certain sanctity about getting elected among one's peers and being supported by the residents of one's constituency, and we should not undermine that.

Young people are involved in political issues at all levels, whether saving the whale, campaigning against incinerators or ID cards, or becoming involved in Friends of the Earth or Greenpeace. However, it does not necessarily follow that they assume that they must have a right to vote as a result of that activity. It is a rite of passage. My hon. Friend the Member for Forest of Dean made an important point about having a sense of pride. In 1983, when I first got my vote in the safe Conservative seat, as it then was, of South Thanet—the candidate went on to do other things and took a close interest in penal affairs—I went out and voted and had a sense of great pride in doing so. I was never taught civics or about civic engagement. It comes from family, from background, and from a sense that one can make a contribution.

Low turnout among young people is about the structural changes that need to take place. Basically, they feel disconnected and that people are not listening to them. They do not feel that the system can benefit them or that it is interested in their lives, whether it is their gas bill, their transport or their granny's hip operation. That is the real reason—it is not because they feel that they are being deliberately, institutionally disfranchised by not having the vote at 16.

Mr. Kevan Jones: Does the hon. Gentleman agree that the mistake that we sometimes make as politicians is to refer to young people as a group as though they are all the same. Does he agree that they are as diverse and different in their opinions and interests as any other section of the population and that reducing the age to 16 would not mean that they would all vote the same way on a certain issue?

Mr. Jackson: I entirely agree. The issues that young people will be enthused and energised enough about to come to a surgery, take part in a demonstration or write a letter to their local Member of Parliament will be completely different in County Durham, in Dunbartonshire, or in the Forest of Dean. That plurality of interest is what makes our democracy strong and we have a duty to recognise that.

The tenor of the debate has shown that the case for radical change has not been made. I was expecting to hear opinion poll evidence from across the country from 16-year-olds and older voters, and indeed my hon. Friend the Member for Forest of Dean made it clear in his remarks that older voters are significantly against such a change. I think that I know why: it is because they feel that the capacity to vote and choose a Parliament of the people, which has been established since mediaeval times through the enfranchisement of the people, is a precious commodity. To give it away as lightly as a right without a responsibility devalues that precious commodity.

The hon. Member for North Durham is absolutely correct; in my experience, as in his, older women are the most passionate and evangelical about exercising their franchise. I may not think that that is a good thing in North Durham, because they tend to vote for a party other than mine, but it is their right to vote and they understand the value of it. I am unconvinced that a young person between the age of 16 and 18 would necessarily give the right to vote the same value as an older person. That is not to say that they are ignorant or stupid, or that their views should be disregarded, but I am saying that incremental increases in knowledge, experience and wisdom come with age.

Mr. Harper: My hon. Friend makes an interesting point. I attended a good debate on this subject in my constituency among those aged between 16 and 18. They had a vote at the end of the debate, and in an audience entirely made up of under-18s, the results were split almost 50:50. Many of them did not think it appropriate that they should get the vote, even though they were taking part in a debate and were engaged in political argument. That point has been made clearly in the House today.

Mr. Jackson: My hon. Friend makes a valid point, and he leads me to a similar point. We do young people a disservice if we assume that the only way in which they can make their views known is to have the vote at 16. After a long and detailed debate, we can see that that flies in the face of evidence—the age at which people can drink alcohol, view pornographic material or obtain credit, among other examples. Society makes a judgment, and then this House makes a judgment through legislation on what is appropriate for young people and children.

I have a great deal of time for the hon. Member for Leyton and Wanstead (Harry Cohen)—I would even say that he is an institution, given that he has been in the House for 25 years, but he made a slip of the tongue. In the course of his comments, he described the particular cohort that he was herding towards the ballot box as "children". Sometimes we have to make a decision about children. They are not all young people, but they are children, and I think that he let the cat out of the bag.

Mr. Harper: My hon. Friend referred to the fact that the House makes a decision on this matter, and as I said in my opening remarks—I was not allowed to proceed much further on the point—the House has already considered the question during this Parliament. Indeed, in 2005, when the hon. Member for Bristol, West (Stephen Williams), who is no longer in his place, introduced his ten-minute Bill, the House had an opportunity to vote on the matter. The House made a decision and said that it did not think that such a change was right. This is the second time this Parliament has had such an opportunity, and I do not see it making a different decision.

Mr. Jackson: That is a valid point for my hon. Friend to make; if the issue is one of such huge gravity that primary legislation is needed to alter the age of franchise, surely the Government should take it up. It is not churlish to say that if the issue is important enough to be compared to the cause of the suffragettes, it stands in poor comparison with the debates we had just a few weeks ago on abortion and stem cell research, when we had some of the best debates to take place in this House—and it was a packed House. We do not have a packed House today and I suspect that that is because the Bill is a politically correct gimmick, which has no substantial evidence to support it. I am disappointed by the amount of evidence that has been presented, although I cast no aspersions on the sincerity of hon. Members who promoted and sponsored the Bill.

I intend now to—

It being half-past Two o'clock, the debate stood adjourned.

Debate to be resumed on Friday 13 June.

Remaining Private Members' Bills

CROWN EMPLOYMENT (NATIONALITY) BILL

Order for Second Reading read—[Queen's Consent, on behalf of the Crown, signified].

Hon. Members: Object.

To be read a Second time on Friday 13 June.

EXPENSES OF PUBLIC SERVANTS (PUBLICATION) BILL

Order for Second Reading read.

Hon. Members: Object.

To be read a Second time on Friday 17 October.

FIXED TERM PARLIAMENTS BILL

Order read for resuming adjourned debate on Question [16 May], That the Bill be now read a Second time.

Hon. Members: Object.

Debate to be resumed on Friday 13 June.

HUMAN RIGHTS ACT 1998 (MEANING OF PUBLIC FUNCTION) BILL

Order for Second Reading read.

Hon. Members: Object.

To be read a Second time on Friday 13 June.

DISQUALIFICATION FROM PARLIAMENT (TAXATION STATUS) BILL

Order read for resuming adjourned debate on Question [25 January], That the Bill be now read a Second time.

Hon. Members: Object.

Debate to be resumed on Friday 13 June.

DRUGS (ROADSIDE TESTING) BILL

Order for Second Reading read.

Hon. Members: Object.

To be read a Second time on Friday 13 June.

DRUGS (RECLASSIFICATION) BILL

Order for Second Reading read.

Hon. Members: Object.

To be read a Second time on Friday 13 June.

PUBLIC SECTOR BUILDINGS (ENERGY PERFORMANCE) BILL

Order for Second Reading read.

Hon. Members: Object.

To be read a Second time on Friday 17 October.

Dispensing (Newick, East Sussex)

Motion made, and Question proposed, That this House do now adjourn.—*[Siobhain McDonagh.]*

2.32 pm

Norman Baker (Lewes) (LD): I am pleased to have the opportunity to deal with a matter of considerable importance to a large part of my constituency, namely the application by the doctors' practice in Newick to dispense medicines from their Chailey surgerv. The proposal may seem innocuous, but it has led to enormous objections in my constituency. There has been a huge furore and genuine and understandable concern about the implications of the application, should it to be approved.

I welcome the presence of the Minister and I am sorry that she has been either pulled back to or held in London on a Friday. I am pleased to see her, given her background knowledge.

Local parish councils, none of which were consulted about the proposals, have set out the concerns. That applies especially to Newick parish council, but Chailey and Fletching parish councils, as well as those in Barcombe, have also expressed concern. There is also a petition, which approximately 2,000 people have signed. That equates roughly to the entire population of Newick—I hope that that demonstrates to the House the seriousness of the matter. If I may, I will hand the petition to the Minister when we have concluded the debate.

There are two reasons for the major anxieties about the proposal. The first is a genuine concern that the move will drive out of business the existing Lloyds pharmacy in Newick, which is well respected, performs a useful public function, is well liked and is used by people not just in Newick but in nearby villages. The view in the village, which I share, is that if the proposal goes ahead, it will fatally undermine the viability of the chemist. Not only would the village then lose the chemist, but there would be a knock-on effect on the remaining nearby shops, thereby potentially removing all retail outlets from the village, as people use the other outlets when they use the chemist. That is a genuine concern, which perhaps explains why there is such opposition to the proposals in Newick.

The second reason is a medical reason. In the view of many people—again, I share their view—there will be a diminution of service if the chemist closes. The proposal for the doctor's surgery to be able to dispense medicines from Chailey in no way compensates for the extremely good service currently provided by the chemist both onsite in Newick and remotely, through the free delivery service to nearby villages.

Let me turn to the comments that have been sent to me by residents, including Chailey parish council. I refer to Chailey in particular because the proposal, ostensibly to improve services, is to have the dispensing of pharmaceuticals at Chailey. One might therefore think, superficially, that people in Chailey would be in favour of it. However, they are totally opposed to the proposal, just as people in Newick are. It is not just those who have a chemist's shop who are opposed, but those who value the remote service provided by Lloyds.

In Chailey parish alone, there is a residential home for disabled adults, a residential school for disabled children and a development of 24 warden-controlled flats for older people. All those organisations are currently served by the Newick community pharmacy home delivery service. If that service were removed, the burden of arranging the collection of prescription drugs and appliances would fall on carers and wardens. That would obviously be highly regrettable, and in some cases not even possible, given the strains and stresses on those organisations.

Individual constituents have also made their unhappiness plain to me. Mrs. Stewart of Barcombe said:

> "Lloyds do an absolutely superb job and I wouldn't want to lose them. I don't know how I would get my prescriptions otherwise, especially 'repeat' prescriptions. The Lloyds van is in our street nearly every day of the week".

Mrs. Stewart has lived in Barcombe for most of her life. She makes the point that the Chailey centre has no practice nurse service, so even if it is possible to get there for the first prescription, repeat prescriptions are still an important issue for many of my constituents.

The manager of the Nightingales residential care home for the elderly in Newick says:

> "For the last 10 years Lloyds pharmacy have offered us an excellent, efficient service. I have spoken to a number of our residents who are concerned about the impact it may have on their healthcare and like us feel that the service offered cannot be improved on".

A trustee of the Grantham trust, in Grantham close, Chailey, which operates 24 warden-controlled flats for the elderly, has reported that 36 of the residents in those flats currently receive deliveries via the community pharmacy home delivery service and that the system works well for all concerned. The Leyden trust, also in Chailey, operates a residential home for six disabled adults and relies on the delivery service for the supply of pharmaceuticals. The trust says that it would be difficult to release a member of staff to go on regular trips to a pharmacy to collect prescription items, in view of the intensive level of care required by the residents.

I would suggest that those are good medical reasons why the proposal causes such grave concern in my constituency and beyond. Indeed, a member of Fletching parish council, which is in the constituency of the hon. Member for Wealden (Charles Hendry), has also contacted me, writing:

> "I would make it clear that my Parish Council considered this matter at its last meeting and unanimously resolved to support Newick in its endeavours to resist any measures...that threatened the viability or existence of...a...valuable local resource".

Chailey parish council also submitted a thorough letter to the appeal process in Harrogate, making the point that 60 per cent. of the current dispensing business is for patients outside Newick and that 340 post codes are included in the application.

Chailey parish council has written to me to say that if the Newick community pharmacy were to close, residents would have to visit pharmacies in the surrounding towns, all of which are seven miles from the centre of Chailey. Interestingly, the council also notes that the Government's 2008 White Paper on pharmacies emphasises—rightly, I believe—the importance of the development of a wide range of community services in the local pharmacy. If this decision were to be allowed, it would seem to run contrary to the Government's direction of travel, which most people support because they want to see greater use of pharmacies in their locality.

Unfortunately, that seems to run counter to some of the regulations, and I would welcome clarification from the Minister on this. I have dug out a similar case relating to an application made in 2000 in Robertsbridge, which is in the same primary care trust area. I understand that the 1992 regulations state that the committee

> "shall refuse an application to the extent that it is of the opinion that to grant it would prejudice the proper provision of general medical services or pharmaceutical services in any locality".

That seems to be a fair criterion to apply to these applications.

Department of Health annexes are also referred to. The title, in gobbledegook, is HSG(92)13.FPN560. Paragraph 6 on page 37 states:

> "The fact that the granting of an application could lead to a reduction in the level or standard of general medical or pharmaceutical service does not, of itself, constitute prejudice to proper provision".

That is an important paragraph, because it seems to imply that, even if there is a diminution in service, that is not a reason in itself for rejection. That is from the 1992 regulations; it might well be that the 2005 regulations have overtaken those provisions. It would be helpful to learn from the Minister whether that is the case. However, if the regulations say that a facility for local people can be reduced from its present level if, for example, a doctor's surgery applies to dispense medicines, that cannot be consistent with the Government's direction of travel. It would be useful to get an update on that point.

There is also uncertainty—perhaps it is welcome—as a result of responses that were received this week in another place. My constituent, Baroness Cumberledge, raised the matter with the Health Minister, Lord Darzi. The baroness is a doughty campaigner on these matters, and has a long history of activity in the health service. However, given her political allegiance, it is probably just as well that she does not have a vote at the general election. She asked Lord Darzi about these matters, and on 2 June he replied:

> "If a new pharmacy opens in a controlled locality, or if an area is no longer considered rural by the PCT, GPs are required to reduce their dispensing."

In other words, the hierarchy that the Government appear to support—which I think is absolutely right—seems to place the GP dispensing process in a secondary position to pharmacies. The GP process seems to have been designed to fill gaps rather than to be a rival to the pharmacies. If that is the hierarchy that the Government support, I entirely agree with it, but it seems inconsistent with the regulations that I have just quoted.

In a second answer to Baroness Cumberledge, Lord Darzi said:

> "The principle of GPs dispensing has historically been seen as an exceptional measure, normally where there may not be a convenient community pharmacy and patients have no choice but to travel a considerable distance to the nearest pharmacy."

Again, I have no objection to that. No one wants to prevent patients from having access to pharmaceuticals if there are no chemists nearby. However, that is not the situation in Newick, where there is a chemist nearby that is well supported and provides a service that is second to none. Anything that threatens that provision cannot be in the interests of patients or of the health service generally.

Lord Darzi went on to say that, in the

> "White Paper *Pharmacy in England: Building on Strengths—Delivering the Future* we will be consulting on proposals making changes to the control of market entry for dispensing medicine that will examine options for improving services and patient access."—[*Official Report, House of Lords,* 2 June 2008; Vol. 702, c. WA13.]

It would be helpful if the Minister clarified how that fits in, although I understand that this is not part of her portfolio at the Department of Health. I am trying to understand the Government's direction of travel. Do they see GPs as a back-up to the pharmacies, as I think they should, or as potential rivals who should—according to the 1992 regulations—be allowed to damage the interests of pharmacies? That important point needs to be clarified, but if the Minister cannot deal with it or with any of my other points on this occasion, it would be useful if she helped me to arrange a meeting with the relevant health Minister.

I wrote to the family health service appeal unit in Harrogate on the basis of the narrow grounds on which I understand that the regulations allow appeals to be made. Some of the points that I have made to the Minister are fairly wide, but while I feel that account should be taken of those wider points, I see a case for rejecting the application even on the narrow grounds specified in the regulations.

In my letter I said that the proposal, if enacted, would prejudice the proper provision of pharmaceutical services for people in the Newick locality, including nearby communities such as Chailey. I noted that consideration was given to the viability of the chemist's shop on the occasion of the Robertsbridge appeal. It was obvious to me that if that were taken into account, the case for allowing this application would disappear entirely. I hoped that the appeal committee would agree to undertake a proper economic assessment to establish whether the Newick chemist would be affected before making any irreversible decision on whether to allow the application.

The decision was flawed in another respect. No consultation whatever was conducted with the parish councils, with the district council or with me. Indeed, I was not even notified. The process appears to have taken place behind closed doors, with no reference to the local community. That is contrary to the Government's stated views on public participation, which I am happy to support. Although the regulations may not have been formally overridden, I think that, in the spirit of the regulations, consultation should have taken place. Indeed, a specific power to allow such consultation has not been used, and for that reason alone I feel that the matter deserves further consideration. If the appeal committee does consider the issue further, as I imagine it will have to, I think that—particularly given the lack of consultation so far—it should do so by means of an oral hearing either in Newick or in Lewes, the county town, so that local people can have their say.

Finally, let me return briefly to the issue of GPs' dispensing pharmaceutical medicines. I understand that it was originally intended to benefit patients in areas where it was economically unfeasible for a chemist to operate. However, it seems to me—and I say this advisedly—to have become a money-spinner for some practices. I fear there is a danger that the narrow financial benefits to be gained by general practices will override the health benefits to the population at large. That is a wider problem, which the Government must try to straighten out.

2.47 pm

The Parliamentary Under-Secretary of State for Health (Ann Keen): I congratulate the hon. Member for Lewes (Norman Baker) on securing the debate. I know that this matter is causing great concern to him, to other Members and to his constituents, and he has put his case exceptionally well. He mentioned my former position in the health service. As a district nurse, I greatly valued the pharmacy and delivery services.

Let me briefly outline the law on this matter before dealing with the position in Newick. First, the current regulations governing NHS pharmaceutical services have been in place since April 2005, and replace NHS regulatory systems that had existed in one form or another since 1948. Indeed, I understand that regulations relating to the provision of dispensing services in rural areas can be traced back as far as 1936, or possibly even earlier. The 2005 regulations implement a series of measures that were agreed between pharmacy and medical representative bodies in 2001. It is important to bear in mind that the regulations that gave rise to the PCT decision about which the hon. Gentleman is concerned are based on that accord between doctors' and pharmacists' representatives.

Secondly, it is a long-established general precept, endorsed by all Governments since the NHS came into being, that doctors prescribe medicines and pharmacists dispense them. In that way, patients receive the benefit of both professions' expert advice, intervention and care.

I use the term "general precept" carefully. I am sure we can all agree that both medical and pharmaceutical services have developed greatly since 1948. Our White Paper "Pharmacy in England: building on strengths—delivering the future", which we launched in April, set out the ways in which we want pharmaceutical services to grow in the future. But it can be that a community pharmacy is simply not a viable proposition in every part of the country, especially in very rural areas. Patients need to receive their NHS-prescribed medicines promptly and efficiently, which is where the services of dispensing doctors can play a vital role. In that way, patients can pick up their medicines from the surgery's dispensary without having a possibly lengthy journey to their nearest preferred pharmacy.

In the vast majority of cases, if a patient wishes to receive dispensing doctor services, they need to live in a designated "controlled" locality, by which I mean that the area in which they live is rural in character and more than 1.6 km as the crow flies from their nearest pharmacy. The minimum distance of 1.6 km—about one mile, as we used to say—between the patient's address and pharmacy is set out in regulations, and the PCT has no discretion in this matter. I understand that the residents of South Chailey live further than that from the pharmacy in Newick.

Norman Baker: Let us be clear that the residents live further than that from the pharmacy in Newick, but, obviously, not further from the proposed dispensing point, which is the one to which they are objecting.

Ann Keen: A patient can apply to their local PCT for their local medical practice to provide dispensing services where the patient has such a need. The practice seeks approval from the PCT, which is known as outline consent. Where a PCT receives such an application, it invites views from interested parties locally, including medical and pharmacy contractors and their representative bodies, and the local patient and public involvement forum, as was. Such bodies have now been replaced by the local involvement network. The PCT can also seek views from other interested public, consumer and community groups, but whether it does so is for it to decide. The minimum notice period within which representations need to be made to the PCT is 45 days, after which it reaches a decision on the application.

Any such decision can be appealed to an independent body—the NHS Litigation Authority—by those who are statutorily entitled to make an appeal. In this instance, an appeal can be made by interested local contractors who made representations to the PCT. The right of appeal does not extend to the general public. I want to emphasise that the NHS Litigation Authority is independent; it is independent of the PCT, local contractors and local interests.

Let me turn now to the situation in Newick. I am advised by my officials that the local GP practice applied to provide dispensing pharmaceutical services at its branch surgery in South Chailey. Details of the application were circulated to interested parties locally, but I understand that that did not include the local patient and public involvement forum. I feel for the hon. Gentleman, because he was not consulted, and sympathise with the points he raised. The decision is ultimately made by the PCT, but I accept that the provision of new dispensing facilities is a change that the PCT should consider in relation to its obligations to consult. I understand that this was a genuine mistake on the part of East Sussex Downs and Weald PCT, which, in the circumstances, is to be regretted. However, that is what happened, and apologies should be made.

The hon. Gentleman will be pleased to hear that I have received assurance that the PCT has amended its process to ensure that the local involvement network and the local parish council will, in future, be notified about such applications as a matter of course. I understand that the PCT subsequently approved the application, and that details of the approval were notified to interested parties on 30 April.

I understand that details of that approval have caused widespread local concern about the future effect on the existing pharmacy in Newick; indeed, Baroness Cumberlege raised the issue recently in the other place and she has tabled a question about it this week. Her championing of such issues is well known in the health service.

I understand that an appeal against the PCT decision was last week lodged with the appeal unit of the NHS Litigation Authority. The appeal unit has yet to decide whether to hold an oral hearing, as the hon. Gentleman is seeking today. It would be inappropriate for me to comment on the actual details of this case, but I would like to outline the usual procedure that is followed.

The first stage in all appeals is for the appeal unit to invite written views from those entitled to make representations. I understand that it will do so as soon as possible. The appeal unit will then decide whether to hold an oral hearing. If it does, it will convene an expert appeal panel. This will afford the opportunity to those contractors who have made representations to put their case across at the hearing.

I would stress here that the decision whether to hold an oral hearing, and who to invite to present evidence, will be entirely one for the appeal unit. This is not a matter in which Ministers can or should intervene. However, I fully understand the hon. Gentleman's concerns in seeking an oral hearing.

I am assured by the NHS Litigation Authority that as soon as a decision has been reached on whether to hold an oral hearing, the authority will let the hon. Gentleman know. But I can tell the House that pending the appeal, the application to provide dispensing services in South Chailey is on hold. In the light of that, I hope that the House will agree that it would be wholly inappropriate for me to give an opinion on this matter. In due course, the authority will hear and weigh carefully all the evidence it needs to come to its own independent conclusion. That is the right way for these things to be determined.

I heard very clearly from the hon. Gentleman how highly regarded is the current provision of pharmaceutical services in Newick. I hope that we can all recognise and agree that we want every pharmacy and dispensing practice to provide excellent services, which can make an enormous contribution and real difference to our local communities.

Our White Paper makes it clear that we want to see pharmacy services as a whole move forward, whether in urban or rural areas, and irrespective of who provides them, to a position in which excellence receives its just rewards. Our pharmacy service has much to offer over the next few years, and the expectations of patients, consumers and the communities that it serves will change greatly. The pharmacy service will be at the heart of that community, providing excellence in service quality and delivery.

Question put and agreed to.

Adjourned accordingly at three minutes to Three o'clock.

Westminster Hall

Tuesday 20 May 2008

[MR. PETER ATKINSON *in the Chair*]

Israel

Motion made, and Question proposed, That the sitting be now adjourned.—*[Liz Blackman.]*

9.30 am

Mr. Quentin Davies (Grantham and Stamford) (Lab): It is a great pleasure to serve under your chairmanship, Mr. Atkinson. I am most grateful to Mr. Speaker for giving me the opportunity to call this debate. As I shall be entering territory that is highly charged with controversy and emotion, it might be helpful if I begin by saying where I come from. I do not have and never have had any personal, family or business connections with the state of Israel, any Palestinian community or institution, or any Arab country. It is meaningless to call any individual human being objective—that would be a misuse of the language—but it is fair to say that I come from as neutral a background as can readily be conceived.

I have visited Israel three times: once in my 20s, privately; once at the invitation of the Conservative Friends of Israel—I hope that they do not regret their kind hospitality to me on that occasion; and once as a member of the International Development Committee. I have also visited on one occasion each of Israel's Arab neighbours—in fact, I have been to Egypt three times. That is my background.

I had originally asked for a debate to commemorate the 60th anniversary of the foundation of the state of Israel, but I gather that, for technical reasons, it is not possible to make that the subject of a debate. The foundation of the state of Israel, which took place 60 years ago last week, was an event of extraordinary consequence in the middle east. It took place in extremely dramatic and, indeed, desperate circumstances. I remind the House that in May 1948, there had been open warfare between Jewish and Arab-Palestinian communities in Palestine for a long time. The mandate was about to end: the British were withdrawing to the last ports and would leave for the last time the next day or the day after. The very next day, on 15 May 1948, all four of Israel's Arab neighbours—Lebanon, Syria, the Hashemite Kingdom of Jordan and Egypt—together with Iraq invaded Israel. Few people gave Israel any great chance of surviving.

Israel did survive, of course. It won that war and three subsequent wars with its Arab neighbours. Today, it is a remarkably successful country with an extremely high standard of living. Its per capita income is the highest in the middle east, except for the oil and gas-rich countries of the Gulf, and actually it is not so far removed from them as one might imagine. I checked the figures last night: the latest World Bank figures show that Israel has a per capita income of $18,000 a year, and Saudi Arabia, with all its oil, has a per capita income of only $23,000 a year. That is the measure of Israel's economic achievement.

Israel is a stable democracy and the only country in the region that can be described as such. It is famed for its universities and its scientific and entrepreneurial achievements. I believe that it is the third country in the world in terms of the rate of business creation per head of population, and the first for the rate of business creation by women and those aged over 55.

I am well aware that many people in this country and in the world are willing to pay tribute to the achievements of Israel but will then immediately say there is a dark side—that all those achievements have been made at the expense of the Palestinian people whose land has been seized and whose heritage has been robbed by alien immigrants and occupiers. It is because that view is so widespread that I want to address it explicitly this morning.

Three things must be said in response to that view. First, Palestine has never had a homogeneous population: there have always been some Jewish communities there. Some Jews remained after 70 AD, when Vespasian put down the Jewish revolt, dispersed the population and destroyed the temple except for the famous western wall. Some Jewish communities remained through the rest of the Roman-Byzantine period, through the Arab invasions in the 7th century, through the arrival of the Seljuks, through the period of the Christian kingdoms—the Crusader kingdoms of the 12th and 13th centuries—and through the arrival of the Ottomans in the early 16th century. Indeed, in the later Ottoman period there was increasing immigration of Jews into Israel, notably from eastern Europe.

As a result, by the time that political Zionism and any sort of co-ordinated immigration into Israel began—I date that as roughly from 1896, the publication date of Theodor Herzl's famous book on the Jewish state, "Der Judenstaat", or 1897, the time of the first Zionist Congress—the majority of the population of Jerusalem was Jewish. There were 25,000 Jews living in Jerusalem, as against 14,000 Arabs. Anybody who says that the Jews should never have been there, that they were taking down the Palestinians, must start off by saying when the Jews should have ceased to be there, or from what point they should not have been allowed to arrive.

The second thing that needs to be said is that there was absolutely no expropriation or involuntary expulsion of Arab communities by Jews whatsoever during the Ottoman and mandate periods. The mandate authority would occasionally requisition land for the purposes of building public infrastructure, but it never expelled Arabs to give land to the Jews. There was, of course, an enormous expansion of the Jewish population from roughly 90,000 to 600,000 between the beginning of the mandate in 1920 and 1948. Those people were largely refugees from Nazi Europe, but they installed themselves on unclaimed land, or on land that had been purchased perfectly legally at market prices from the local inhabitants or proprietors.

Indeed, some of the land that was bought resulted in people doubting the good sense of the Jewish purchasers. When Menachim Ussishkin, for example, bought 40 square kilometres of the Jervaal valley in 1920 on behalf of the Jewish National Fund, it was simply a malarial swamp. He was much criticised, including by the next Zionist Congress, for having extravagantly wasted money. The Jervaal valley is now the centre of one of the most fertile and productive agricultural areas

[Mr. Quentin Davies]

in the whole of the middle east, but one can hardly say that its value was created at the expense of the Palestinian people.

Many Members will know Tel Aviv—a booming and, indeed, swinging city. Its mixture of entrepreneurialism and hedonism reminds me of Los Angeles, and it has the same climate as that city. One hundred years ago, Tel Aviv did not exist—it was not even a small settlement, which Los Angeles was 200 years ago. It was nothing at all, just sand dunes and a beach—the beach is still there, by the way. No one can fairly say that Tel Aviv's enormous value was created at the expense of the Palestinian people or stolen from them.

My third point is that a determinant of the very sad history of the middle east during the past 70 or 80 years—a history with which we are all familiar—was a decision taken by the Palestinian leadership right from the beginning of the mandate. In my view, that decision was taken at the expense of individual Palestinians. I do not wish to criticise the members of that leadership, which was dominated and personified by Haj Amin al-Husseini, known to history as the Grand Mufti of Jerusalem, but the policy that they adopted was one of violent opposition to Jewish communities in Palestine. Undoubtedly, the violence came from one side—the Palestinian side.

Some people say that the Zionist project was an exclusive project and that, ultimately, the Palestinians had no choice. In all fairness, that thesis, if it was a thesis at the time, was never put to the test, because the Zionist leaders of the day—Chaim Weissman, David Ben-Gurion and so on—made it absolutely clear on every possible occasion that they wanted to deal peacefully with the Arabs, to respect their rights and to have good, harmonious relationships with them. They were never allowed to do so. The violence began right at the beginning of the mandate, with the Arab riots in 1920; they were followed by Arab riots in 1921 and in 1929, when 133 Jews were killed. It was in response to these riots that the Jewish community set up the Haganah—the origin of the Jewish defence forces—because the mandate authorities were incapable of defending Jewish communities through the length and breadth of the mandated territory of Palestine. It is hard to blame the Jews for that.

There is no question that in 1948 there were expulsions of Arabs from areas of Palestine. Most of the Arabs who left their homes in 1948 did so of their own accord— sensibly and understandably, they wanted to get out of a war zone. Some of them may have left because Arab leaders told them to do so. A number of them may have left because of the fear engendered by the appalling atrocity perpetrated by Jewish terrorist organisations—the Stern gang and the Irgun—at Deir Yassin, where more than 200 Arabs were killed. Although Arabs may have left for other reasons, some undoubtedly left because individual Israeli units expelled them from villages that they were occupying. There is no doubt about that at all. However, people cannot read back into history from the expulsions in 1948 and say that that justified the violence of the 1920s and 1930s, because there had been no expulsions and no expropriations at that point: that is the key historical fact. The war, the fighting and the expulsions of 1948 were the consequence of a series of violent episodes that, unfortunately, were started by the Arab riots of 1920.

If the Arab leaders—the Grand Mufti and his colleagues—rejected any kind of negotiation or deal with the Jewish community, or any kind of integration, they also rejected partition when it was first proposed in the Peel report in 1936 and, with much more devastating consequences for the Palestinian people, when the United Nations decided that that was the solution in the 1947 resolution. That had enormous consequences. It can be proved mathematically what a bad decision that was for the Palestinian people, simply by calculating the surface of the territory that UN partition resolution—which was accepted by the Jews but rejected by the Arabs—would have accorded to the Palestinian Arabs and comparing that with the frontiers that were demarcated by the ceasefire lines of 1949. I am sorry to say that, at that stage in their history, the Palestinians chose the path of violence and lost. That is a sad fact for them. There is no doubt that, as a result, for 60 years the Palestinian people have had a miserable history, but I am not sure that it is possible simply to say that it is all the fault of Israel or of the precursor Jewish communities in Palestine.

From 1948 to 1967, the Palestinian leadership adopted a policy of non-recognition, which we would call, using the modern phrase, being in denial—pretending that Israel did not exist and rejecting the idea of negotiation, including direct negotiation, or a final settlement. What happened in 1967? I read the other day in *The Guardian* that Israel conquered the west bank. With due respect to *The Guardian*, that was an extraordinarily disingenuous use of language. I have seen that word used before. "Conquered" implies Julius Caesar conquering Gaul or William the Conqueror conquering England or the British conquering Zululand or Ashantiland: it implies a prior decision to go out and swipe somebody else's territory and therefore to plan an invasion with the effect of doing so. Nothing could have been further from the truth in 1967. In fact, in 1967, Israel went out of its way to make desperate efforts to persuade King Hussein not to attack it in the rear while it was involved in the war in the west that had been provoked by President Nasser. But King Hussein of Jordan found that he was under such pressure—blackmail, really—from Nasser and the Palestinian leader at the time, Ahmad Al-Shukairy, that the future of his own kingdom would be threatened if he did not join in the war and attack Israel. So he attacked Israel in that war and, as we all know, he was defeated, the Arab Legion retreated and the Israelis found themselves on the banks of the Jordan river. Again, it is difficult to blame the Israelis for that. Once they were there, what were they to do?

Once again, and for 25 further years, the Palestinian leadership refused to deal with Israel, refused any kind of settlement and decided instead, first, under Ahmad Al-Shukairy and then under his successor, Yasser Arafat, to invest in international terrorism—those were the terrible days of the Achille Lauro and the murder of the Israeli athletes and so forth—as if that were going to solve the problems of the Palestinian people. So the Palestinian people were condemned, for another 25 years, to a continuation of the purgatory of statelessness, the lack of any sense of future and the inability to enjoy any kind of compensation, as they should have had and, I hope, still will have. All of those who left in 1948 should have had compensation a long time ago for the land that they left behind. That is a sad story.

The story has become slightly happier in the past 15 years. Right hon. and hon. Members will be familiar with the events of the past 15 years: the famous Rabin-Arafat meeting at the White House in 1993, and the Oslo I and Oslo II meetings in 1995, which were followed rapidly thereafter by the murder of Rabin by a Jewish fanatic who accused him of giving away Israeli land. Those deals and agreements—Oslo I and Oslo II—were, of course, interim arrangements that involved the extension of successive slices of Palestinian territory to be administered by a Palestinian authority: they were not a final settlement and did not represent a two-state solution.

The big imaginative leap forward came with Ehud Barak's Government's proposal in 2000 at the Camp David conference, which would have involved transferring to Palestine 98 per cent. of the territories, including the Haram al-Sharif in Jerusalem. As we know, the then Palestinian leader declined that offer and declined even to negotiate on it, to the consternation of President Clinton and the other Americans present. That was an extraordinary decision: it was a decision to invest in violence, as we found, rather than invest in peace. We now know that Yasser Arafat was planning the second intifada all along, which, as we recall all too well, involved the obscenity of suicide bombing, sometimes involving impressionable adolescents and people with mental illnesses. For a third time, the Palestinian leadership decided, when given the choice, to go down the route of violence and, again, that did not work. Fortunately, largely as a result of the construction of the security fence or wall in the west bank, that campaign of violence did not succeed.

There have been peoples who have had worse leaders than the Palestinian leadership—the Russians had Stalin and the Germans had Hitler—but throughout human history I cannot think of any people who have been cursed with three leaders of the quality of the Grand Mufti, Haj Amin al-Husseini, the friend of Hitler, Ahmad Al-Shukairy and Yasser Arafat, who is now dead and is generally despised by Palestinian militants of all hues because of the massive evidence of corruption that has emerged since his death.

In many ways, the story of the Palestinian people is a sad one and there is no doubt that they are the victims, but they are not the victims of any wicked Zionist conspiracy to uproot them and remove them from their land. I am sure that all hon. Members in this Chamber, and all those who wish the Palestinian and Israeli people well, are united in hoping that we shall see in our time in politics a genuine long-term settlement and a genuine two-state solution. We hope that Mahmoud Abbas is the Barak or the Rabin of Palestine—the man who is prepared to invest in peace and take the risks of peace, rather than invest in war and take the risks associated with that. We hope that he may be in a position to speak for Gaza and deliver it as well as the west bank, although I cannot see how that can be achieved in the immediately foreseeable future. Some other leader might have to do that.

We can all see the way forward and we are all aware of the need to recognise the claims of and to compensate the 1948 refugees. We all recognise the need to deal with the Haram el-Sharif and the holy sites of Jerusalem. We all recognise the need to deal with the fact that, as a result of the events that I have described, 400,000 Israelis are living in areas beyond the 1948 boundaries. There is no great mystery about the task ahead of us, and we all hope and pray that, well before its 70th anniversary, Israel will be able to add to its list of magnificent achievements the conclusion of a final peace settlement with its neighbours.

Mr. Peter Atkinson (in the Chair): Order. Many hon. Members wish to speak, and I must call the Front Benchers shortly after half-past 10. Hon. Members can do the maths. If they all wish to speak, will they please keep their comments brief?

9.50 am

Mr. Douglas Carswell (Harwich) (Con): I congratulate the state of Israel on reaching her 60th birthday, and I salute her remarkable achievements. Israel has achieved a remarkable amount, and I want to talk about some of her achievements, particularly in science and technology. I shall be as brief as I can because I am conscious that other hon. Members wish to speak.

Israel is a country that is low in natural resources, and to succeed she has had to depend on the inventiveness of her people. Indeed, her people are her greatest asset. Israel has done well not because she has vast mineral wealth, oil or huge natural resources, but because her people are enterprising, extremely innovative and able to apply high technology. Israel has attracted enormous foreign investment in new high-tech companies, and ranks second only to the United States in her research and development achievements in recent years.

Israel has more companies listed on American exchanges than any other foreign country bar Canada. Her high-tech products have found their way into most homes and offices throughout the world. Israeli inventions and high-technology have found their way into computers, telephones, cars and satellite television stations. Israel is no longer—if she ever was—merely a land of citrus groves and kibbutzim. She is a major global player in high-tech R and D. A vast number of the world's multi national giants and companies seek to participate and to have a presence in Israel. It is a remarkable achievement that both Microsoft and Cisco Systems developed their first R and D facilities outside the US in Israel. In addition, companies such as IBM, Motorola, Unilever, Sony and Hewlett Packard all have a major presence in Israel. Major financial houses and venture capital companies also have a big presence in Israel, including Morgan Stanley, Goldman Sachs and Merrill Lynch. Israel's astonishing success at integrating into the global market has been facilitated by an enormous number of free trade agreements with the US, Europe and other countries, including Canada, Mexico and so on. In fact, Israel's approach to free trade is one that we in this country could learn from.

I shall draw my remarks to a conclusion by saying that I hope that the Government will continue to do all that they can to forge close economic ties with Israel. We can learn an enormous amount from Israel, and it is important that we do all that we can to try to help Israel to prosper and to benefit from close economic ties.

On Israel's 60th anniversary, she has an enormous amount that she should be proud of. Few countries in the world can claim to have matched her ability to generate high-tech ideas, to translate those ideas into reality, and successfully to integrate them into the global marketplace for all of us to benefit from. Happy birthday, Israel.

9.54 am

Richard Burden (Birmingham, Northfield) (Lab): I congratulate my hon. Friend the Member for Grantham and Stamford (Mr. Davies) on securing this debate. He referred to some of his visits to the region, and I was with him on his last visit with the Select Committee on International Development.

Just over two weeks ago, I visited Auschwitz with the Holocaust Educational Trust. For anyone who goes there, it is a chilling experience to see where 1.5 million people were clinically and brutally murdered. That left me with two salutary reminders of things I already knew. The first is the obvious one: the message that we must never, ever let anything like that happen again. The second is that the experience of the holocaust is ingrained in the collective memory of every Jew in this country and throughout the world, and a large proportion of the population of the state of Israel. It is there as Israel marks its 60th anniversary.

I am not suggesting that the Zionist dream of Israel came from the holocaust, because it did not. My hon. Friend talked about some of Israel's history and criticised some of the selective versions of history from the other side—one could say that there was some selectivity in his description too, but I will not go into that. I simply want to say that if the search for peace in the middle east today is to be successful, we all need to understand the sense of identity of those involved. Their hopes and fears today are conditioned by, informed by and, to some extent, a product of those collective memories. The holocaust must be part of that, and it is essential to understand that. For anyone who is more associated with the Palestinian and Arab perspectives of the current situation—as I consider myself to be—an understanding of that collective memory of the holocaust is vital.

I say candidly to my hon. Friend that there are other collective memories that are different in scale and nature from the holocaust, but are just as real and just as painful for the people concerned. For all Palestinians, the collective memory of what they call the Nakba or catastrophe, which was also 60 years ago, is one. Seven hundred thousand Palestinians lost their homes. As my hon. Friend said, some were driven out by threats of violence, some were driven out by actual violence, and some fled because they were in a war zone. The point is that, however they left, they were never allowed to return.

Today, 4 million Palestinian refugees are registered, and refugees form a big part of the 1.5 million people who are imprisoned in Gaza with the appalling humanitarian crisis there. I do not want to go into the details of that today, because it is not the time, but to understand the Palestinians we must realise that the collective memory of the Nakba is a daily reality in Gaza and for those who, in the west bank, face closures, checkpoints and the separation wall.

That is also the reality and in the consciousness of the Palestinian minority who live in Israel. During my recent visits to the region, what perhaps struck me most is that it is not just those Palestinians who live under occupation in the west bank and Gaza who feel that. There is a massive and growing sense of grievance among Palestinians living in Israel, partly because in practice the laws discriminate against them, although in theory they do not, partly because in practice there is inequality in access to jobs, health care and education, and partly because of the way in which thousands of Bedouin homes in the Negev are demolished while the number of homes for Jewish families expand. That has been amply documented by groups such as Human Rights Watch. There is a feeling that Palestinians may be tolerated as citizens of Israel, but are not welcome in the area. It seems to me that if Israel wants to live at peace with itself, it must address that.

I pay tribute to the New Israel Fund and Sir Jeremy Beecham for bringing such matters to broader attention. Finding some sort of accommodation and recognition that Israel needs to deal with the reality of the Nakba and of the refugees must be part of that. I hear people say that Palestinian refugees cannot be allowed the practical implementation of the UN resolutions that apply to them because that would destroy the Jewish character of Israel. Actually, I believe that there are ways of recognising the rights of refugees without some of the problems that Israel believes there would be. However, what message does it send to the 1.3 million Palestinian citizens of Israel if they get the impression that their presence is tolerated only if there are not too many of them and that they do not become a majority in the area? That feeling is not new. Golda Meir was progressive in many ways compared with some of the Israeli leaders who followed her, but in 1969 she was quoted as saying:

> "We must ask ourselves: 'What sort of Israel do we want?' I say: a Jewish Israel, with no question marks or doubts. A Jewish Israel, without the daily fear whether the minority now constitutes fifty per cent or not".

What would we say if somebody said that about a racial or religious minority in the UK? Indeed, what would we say if that logic was applied to Jewish rather than Arab people?

If Israel is to have the bright future that my hon. Friend and all of us want, it must ask itself some serious questions. Israel must ask whether—not just in theory but in reality—it wants equal rights for its citizens. If the answer to that is no—quite apart from the impact that would have on Israel's continuing relations with its neighbours—I do not think, as a state, it will be able to live at ease with itself, whether in relation to its Jewish or non-Jewish citizens. If the answer to the question I have posed is yes—and Israel means it—the refugee issue might not be as difficult to sort out as Israel thinks. Also, the search for peace, real equality and real co-existence between Palestinians and Israelis, and between the Israeli state and its neighbours, will not be as difficult as those involved think and the issue of occupation can be brought to an end. Israel needs to think about those issues and seriously ask itself those questions.

In conclusion, I ask the Minister whether he talks about those matters in the many discussions he has with his counterparts in Israel. If so, what do they say?

10.1 am

Alistair Burt (North-East Bedfordshire) (Con): It is a pleasure to serve under your chairmanship, Mr. Atkinson. There remain 30 or so minutes for eight or nine two or three-minute snapshots of Israel, which should be enlightening. Certainly, if the contributions follow the lead of the hon. Member for Grantham and Stamford (Mr. Davies), who opened the debate in such a measured and interesting manner, we are in for an interesting few minutes.

I begin from an unchanged position: as a friend of Israel and as someone who visited it as a student. I carry many memories of that land from a number of visits over the past years. However, like all friends of Israel, I do not take an uncritical position. At this stage, I do not want to labour the contemporary difficulties—I will come on to those. However, as my hon. Friend the Member for Harwich (Mr. Carswell) mentioned, a number of things should be put on the record about Israel. In paying tribute to Israel's 60 years, such things should not be forgotten. For example, it has an extraordinary free press and a sense of religious freedom that is not shared throughout the middle east. Israel has shown commitment to other nations through humanitarian and international aid. In addition, it has good health care facilities, and has worked on climate change issues, on combating desertification and on environmental innovation. Those are all things of which the Israeli people can be proud.

In Israel itself, there is co-operation across faiths. The Christian Allies Caucus has been established through the Knesset and throughout the world to cement the strong relationship between Christians and Jews. The Center for Jewish-Arab Economic Development has done much work and economic efforts have been made to improve the circumstances of those in the Arab community. The centre's recent newsletter provides details about small shops, small enterprises and the technological advances achieved through the co-operation of Israeli Jews and Israeli Arabs. That is a remarkable testament to what goes on under the surface of a country, about which we often hear only the difficult things and world shattering events, rather than the things that mark the everyday lives of people.

Of course, we do not think of Israel in those terms; we think of it in terms of its strategic world position, and I shall say a couple of things about that. History and memory are both a blessing and a curse. For most people, history and memory sit lightly upon us. In fact, there is a medical condition that leads to people being overcome because they remember everything that has ever happened to them. They cannot move or function because everything they do is affected by the slights and hurts that they felt in the past. Most nations do not have such a condition: they wear their history relatively lightly, gently erase what they want to forget and keep the things that they need to allow them to move on. The middle east is too often stuck because of problems related to memory—things are never forgotten and that prevents people from moving on. It is essential that people are able to move on.

Israel's friends are candid with it. No state is perfect. The way in which it reacts to the unique circumstances that affect and threaten it has weaknesses, which could damage Israel in the eyes of world opinion. No discussion of Israel's reaction to its difficulties can avoid recognition of those threats themselves. One of Israel's neighbouring nations is working on potential nuclear weapons with the declared aim from its President of wiping Israel from the map. Hostile undemocratic forces on its borders are unprepared to acknowledge its right of existence and will not work within the realities of modern politics to find accommodations that will ultimately benefit those whom they claim to represent, if memory can, to some extent, be put to one side. Its enemies hide weapons in the clothes of children and rockets in the households of the humble. They appear to glory in the privations of their people—using them in campaigns of hatred and rejoicing when a suicide bombing kills the innocent of all ages.

Yet, Israel survives—as I trust it always will. It remains an oasis of democracy and freedom in a troubled region. Israel's friends salute its jubilee and wish it many more, but most of all they wish it to have peace among its neighbours and pray for a change of heart among those who hold back those opportunities—those who perhaps hold to memory on both sides. Some of that memory must now be put to one side to take the nations concerned forward and provide the peace that those in the middle east so earnestly deserve.

10.5 am

Mrs. Sharon Hodgson (Gateshead, East and Washington, West) (Lab): Often debates on Israel focus on the peace process and the failures of the Israeli and Palestinian political establishment to reach a comprehensive settlement when so much time has already been dedicated to talking about that. There is plenty to say on that matter and I am sure that colleagues have and will expand further and at great length on the problems and the solutions.

However, given the broad title of the debate, I wanted to take the opportunity to look at aspects of the state of Israel that are not related to peace and security and to focus on some of Israel's remarkable achievements in the fields of education and health. Both areas are of particular interest to me and I am committed to trying to reduce health inequalities in the UK. My constituency suffers from particularly high rates of heart disease and cancer and I am keen to learn wherever possible of ways to reduce those rates in the north-east. As a member of the Select Committee on Children, Schools and Families, I have been lucky enough to have had opportunities to consider what other countries are doing in terms of education. Much can be learned from some of Israel's achievements and best practices.

When the state of Israel was founded in 1948, a fully functioning education system already existed. It was developed and maintained by the pre-state Jewish community. The modern Hebrew language—an updated version of biblical Hebrew—was used as the language of instruction, which had been revived for daily speech at the end of the 19th century. However, since shortly after the establishment of the state, the education system has faced the enormous challenge of absorbing large numbers of immigrant children from more than 70 countries. Some children arrived with their parents, and others came alone. The UK can learn a range of lessons from Israel's massive success in integrating such a vast number of children into an evolving school system. We are constantly developing our own education system to deal with a changing demographic and it is hugely important that we take lessons from other countries who have successfully dealt with similar situations, although in differing circumstances.

In the newly established state of Israel, the mass immigration of the 1950s—mainly from post-war Europe and Arab countries—was followed by a large influx of Jews from north Africa in the 1960s. In the 1970s, the first sizeable immigration of Jews from the Soviet Union arrived. Since the beginning of the 1990s, more than

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1 million Jews from the former Soviet Union have arrived in Israel, and tens of thousands more still arrive each year. In two mass movements—in 1984 and 1991—almost the entire Jewish community of Ethiopia was brought to the country. In addition to meeting urgent demands for more classrooms and teachers, special tools and methods had to be developed to help absorb youngsters from many cultural backgrounds into the school population. Programmes designed specifically to meet the needs of newcomers include preparation of appropriate curricular aids and short-term classes to introduce immigrant pupils to subjects with which they were not familiar, such as the Hebrew language and Jewish history. Special courses were initiated to train teachers to deal with immigrant youngsters, and retraining courses for immigrant teachers have helped them to find jobs in the Israeli education system.

Israel takes the provision of education seriously and, since 1990, national expenditure on education as a percentage of gross domestic product has averaged above 8 per cent. That compares with UK education expenditure of 5.6 per cent. of GDP in 2007. School attendance is mandatory from the age of five and is free until the age of 18. Almost all three and four-year-olds attend a pre-school programme.

Higher education plays a pivotal role in developing the country. In the academic year 2004-05, 257,000 students were enrolled in Israel's higher education institutions, with 48 per cent. attending universities, some 30 per cent. studying at various colleges and 21 per cent. participating in courses through the Open university. A wide range of programmes, from bachelor degrees to courses at post-doctoral level, are available at Israel's eight universities, while colleges offer academic courses as well as specialised training in fields such as primary school teaching, music, fashion design and physical education.

Israel has recognised its lack of natural resources and compensated by investing heavily in higher education and scientific research and development and in the application of R and D. Some 24 per cent. of the Israeli work force hold a university degree. In that respect, Israel ranks third in the industrialised world after the United States and Holland. The statistics speak for themselves. With so many of Israel's youngsters reaching university, their level of production in science and technology is remarkable. While we consider innovative and creative means of encouraging our youth to enter university in the UK, we should take the time to examine how Israel has achieved that and whether we can learn from it.

The other area that I wanted to talk about was health, but I am aware of the time and that many other hon. Members wish to speak. I will therefore cut my comments short. I will just highlight Hadassah hospital in Jerusalem, which is a beacon of integration. Its mission statement includes a pledge to forge links between patients of all nationalities, races and religions who come to its doors for healing. As well as being at the forefront of medical research and pioneering technologies, Hadassah is a tremendous example of equality and medical care that transcends all political divisions.

I hope that I have given an insight into the contributions and achievements of Israel and that I have highlighted work that we might be able to learn from in the UK. No doubt Israel will continue to stride forward over the next 60 years. I wish Israel the best of luck in all its fine work.

10.12 am

Mr. Andrew Dismore (Hendon) (Lab): I congratulate my hon. Friend the Member for Grantham and Stamford (Mr. Davies) on securing this very important debate and on his tour de force of historical analysis. That said, I would like to mention one or two points of particular relevance to the UK. First, it was, of course, the UK that created the Balfour declaration, which led to the state of Israel. That was the positive. The negative was how very soon afterwards, under the British mandate, we made every effort that we could to limit immigration by Jewish people into Israel. The most appalling decision was made in May 1939. I am referring to the White Paper that limited immigration, on the eve of the holocaust, to 75,000 people over five years.

When considering the history, we should remember, not as a side note but as an important point, that hundreds of British service people and civilians gave their lives during the period of the British mandate, trying to fulfil what was an impossible task given to them by the British Government and the League of Nations in the mandate. The graves of those people are often forgotten.

When talking about the problems of the Palestinian refugees, we overlook the Jewish refugees from Arab lands. In 1945, some 800,000 Jewish people were living in Arab countries; today, there are fewer than 7,000. I am thinking of the Jews from Iraq and Yemen, who had to flee the pogroms there. The net result was what can only be described as an exchange of populations, because of the number of Palestinians who left and the number of Jewish people who went to Israel, having been expelled from Arab lands. Now, of the population of Israel—7.2 million—some 20 per cent. are Arab, yet there is still immigration not just from Russia and Ethiopia, but from Europe. Of course, there are people from my constituency who like to carry out aliyah—to return to what they consider their homeland of Israel. We also see, in the rest of Europe, people fleeing to Israel from the fear of anti-Semitism, which has been growing dramatically.

In the short time available, I would like to remind hon. Members of the founding principles of Israel. The declaration of independence stressed the values of liberty, justice, peace and equality—traditional values. Israel has been able to maintain that democracy against all the threats with a vibrant Supreme Court, which challenges its own Government in the same way that our courts challenge our Government, of whichever political hue—often to the regret of the politicians involved.

Although Israel has won the wars that it always has to fight against threats that exist—I am thinking of the events of 1948, 1956, 1967 and 1973—unfortunately it has lost the battle for public opinion. When we compare how people perceived Israel in 1967 with how they perceive it now, we need to ask why the perception has changed. It is partly because Israel has not gone out to court world opinion. Also, people forget that Israel is surrounded by an enormous population of people who are hostile to it. That has fed anti-Semitism around the world. It has led to terrorism, hostage-taking, the missing

Israeli service personnel, from Ron Arad to Gilad Shalit, and now we see for the first time threats to Israel's existence from Iran and the nuclear programme of President Ahmadinejad, who refuses to negotiate about that. Although the threat to Israel's existence—though not to its population—through terrorism has declined, a very different world is now developing. We will perhaps see some realignment as Arab states, too, are threatened by the growth of Iran's armoury.

There is little time left in the debate, so I will simply say this. If there is to be progress and a peace agreement, the three international conditions of an end to terrorism, recognition of international agreements and recognition of Israel by Hamas must be met.

10.16 am

Jeremy Corbyn (Islington, North) (Lab): I welcome the debate and the historical analysis provided by my hon. Friends the Members for Grantham and Stamford (Mr. Davies) and for Birmingham, Northfield (Richard Burden). Obviously, the creation of the state of Israel is a product of history and of the Zionist movement, but also of the holocaust before and during the second world war. Like my hon. Friend the Member for Birmingham, Northfield, I visited Auschwitz earlier this year, and one can only be moved by the sheer horror of what happened and the violence that was used to try to exterminate a large number of people.

We are now dealing with the existence of the state of Israel and, with all the hullabaloo surrounding the 60th anniversary, I would just advise Members to look at page 2172 of today's Order Paper, which states that the Select Committee on International Development is taking evidence on:

> "The Humanitarian and Development Situation in the Occupied Palestinian Territories".

Who is occupying the Palestinian territories other than the state of Israel? If Israel wishes to live in peace and prosperity in the future, it has to start reckoning both with its own immediate past in terms of the expulsion of large numbers of people from what is now Israel into Palestinian lands and refusal of their right of return, and with the destruction of 530 Palestinian villages.

John Barrett (Edinburgh, West) (LD): Does the hon. Gentleman agree that the future security of Israel very much depends on a two-state solution and that if that is to be the case, there must be a viable second state, and at present Israel appears to be doing a great deal to ensure that that does not exist?

Jeremy Corbyn: I agree. I will be brief because I know that other hon. Members wish to speak. While all the celebrations are going on in Tel Aviv and Jerusalem, not far away—in fact, probably less than an hour's drive away if the roads were normal—one has in Gaza the most densely populated place in the world, with 80 per cent. unemployment, desperate poverty, food shortages, water supply shortages and sanitation problems.

The Gaza mental health organisation has informed me that 70 per cent. of the population are seriously medically depressed by the situation. Gaza is nothing more than a vast prison surrounded by barbed wire and roadblocks, and there is an inability to travel. Imagine what it is like for a young person growing up in Gaza, knowing that the only future they have is to stay living in that prison and that the possibility of travel is about zero.

Young people growing up in Gaza and on the west bank live their lives vicariously through television and the internet. The possibility of travel and experiencing the rest of the world is zero, and the poverty that they experience is terrible. I want peace in the middle east. I want recognition of a Palestinian state. Imprisoning the people of Gaza and, to some extent, the west bank does not achieve that.

Mr. Quentin Davies: Does my hon. Friend think that it will help the people of Gaza, and normalise their existence, endlessly to fire rockets and mortars from Gaza into Israel? I believe that 7,000 such firings have taken place since 2002.

Jeremy Corbyn: As my hon. Friend knows, I am on record many times as being very critical of anybody firing rockets from Gaza into Israel—and, indeed, of the bombing of Gaza by Israeli jets. I remind him that 21 children were killed in April alone by Israeli bombardment. The death rate in Gaza from Israeli bombardment is high. I remind him of what was described by the United Nations as the collective punishment of the people of Gaza and the raids that take place on the west bank. That collective punishment involves roadblocks, imprisonment and the wall. Israel presents itself as a democracy; perhaps it should give some thought to the 70 Palestinian parliamentarians still being held in Israeli prisons.

I want peace in the middle east. I want people to be able to live in peace and security, and enjoy each other's company. Israel is not creating security in the Palestinian territories; it is making the situation much worse by its refusal to negotiate, particularly with Hamas; by its continued construction of the wall; and by the grabbing of Palestinian lands.

The sense of anger and outrage among ordinary Palestinian people is so great that it will boil over at some point. The way to deal with that is not by continuing the oppression and the occupation, but by engaging—by replacing conflict with politics. That, surely, has to be the way forward. Israel, on its 60th anniversary, might think about those things a little more and recognise that keeping people in poverty is not a good way to ensure its security.

10.22 am

Mrs. Louise Ellman (Liverpool, Riverside) (Lab/Co-op): I, too, congratulate my hon. Friend the Member for Grantham and Stamford (Mr. Davies) on securing this important debate.

Despite Israel's unprecedented situation—it has always faced hostility from states that do not recognise its existence—it has over the past 60 years created a vibrant, progressive and multi-racial society. It has recreated the Jewish national home and revived the Hebrew language, and it has provided a haven for victims of persecution. They include victims of the holocaust, and victims of persecution in Arab and Muslim countries. Indeed, half Israel's population are Jews descended from people who lived in Arab countries. Today, Israel welcomes refugees from Darfur who had been rejected and often attacked in Egypt.

[Mrs. Louise Ellman]

The threat against Israel's existence has sadly not been removed. I draw the House's attention to the continuing threat from Iran. Its president attempts to build a nuclear bomb, threatens to wipe Israel off the map, calls Jews "filthy bacteria" who should be eliminated, and trains and funds groups such as Hamas and Hezbollah that are dedicated to preventing a two-state solution.

Israel's achievements are many. They include the socialist kibbutz movement, which has inspired millions over the years; the co-operative values of the moshavim; and the strength of the Histadrut trade union movement, which sets a model for such movements internationally and which now works with the Palestinian trade unions. Israel's economy is highly successful. Its innovations are world renowned, and they include software and voicemail technology. It may be a mark of Israeli society that book sales per capita are the highest in the world.

Mention has been made of Israel's democracy. It is important to point out that 25 per cent. of Israeli citizens are not Jewish, that 12 of the 120 Members of the Knesset are Israeli Arabs, and that Israeli Arabs in Israeli society include Ministers, diplomats and a justice of its Supreme Court, the independent court that often overrules Government decisions.

Israel is a progressive society. While Iran hangs gay people from cranes in the street, Israel welcomes civil partnerships. Israel's hospitals and universities are models of co-existence. The remarkable world-class Hadassah hospital in Jerusalem, Poriya hospital in Tiberias and Soroka hospital in Beersheba have doctors and nurses from all backgrounds, religions and ethnicities helping patients from all backgrounds. Only last year, I visited Hadassah hospital as a member of a delegation from Labour Friends of Israel, and I saw a tiny baby from Gaza, the victim of a domestic fire, being given dedicated care by a team of Israeli medics. Organisations such as Givat Haviva bring Israelis and Palestinians together.

The tragedy of the situation is the failure to find peaceful co-existence between Israel and the Palestinians. Although Israel can be criticised in some respects, the overwhelming responsibility for that failure lies on the Palestinian side, and the battles fought by those rejectionist elements that prefer the cult of death and the suicide bomber to negotiated peace. The best success that Israel can achieve is co-existence with its neighbours. That would bring peace throughout the region and, I hope, achieve the dream of Shimon Peres of a federation of countries of the middle east working together for peace in that area and beyond.

10.26 am

Mr. Siôn Simon (Birmingham, Erdington) (Lab): I congratulate my hon. Friend the Member for Grantham and Stamford (Mr. Davies) on securing the debate.

I intended to speak about the role that Israel has played in the field of international development. It is an altruistic, innovative, outward looking actor on the world stage, but it gets little international recognition because the state is generally viewed through ideological eyes. I do not have the time to speak in depth about the work that Israel does globally, albeit on a small scale, in water resource management and irrigation, desert agriculture, early childhood education, community development, emergency and disaster medicine, refugee absorption, employment programmes and so on. All that is built on Israel's experience as a struggling nation in an inimical climate, and the nation offers advice, expertise and support globally.

More important than developing those points in the short time available is, I feel, responding to my hon. Friend—he is a friend—the Member for Birmingham, Northfield (Richard Burden), who represents a seat on the other side of Birmingham from mine. I do not think that it is on to come here and conclude, as he did, with what effectively amounts to a denial of the state of Israel as a Jewish state, having begun those remarks with a reference to Auschwitz. My message to him today is that he cannot have it both ways. He cannot end his speech by referring to a state that is wonderfully and purely democratic but not Jewish after choosing to start, 10 minutes, earlier with Auschwitz.

It is not that easy and it is not that simple. If the holocaust means what it does to a lot of people here and if the history of persecution over centuries and millenniums is relevant, a state that is definitively, absolutely and unconditionally Jewish is part of the deal. My hon. Friend cannot have it both ways.

10.28 am

Jo Swinson (East Dunbartonshire) (LD): I, too, congratulate the hon. Member for Grantham and Stamford (Mr. Davies) on securing the debate. He spoke authoritatively and gave us a good base of Israel's history.

The debate has been incredibly positive. The number of people attending and speaking today is testament to the importance of the state of Israel and its place in the region and on the world stage. It is good to have had a debate that has touched on many aspects of Israel that often are not covered because, understandably, we usually focus on the peace process. We heard about a wide range of topics—economics, our grave remembrance of the holocaust, the political situation, education, anti-Semitism, culture, health care, international development and the challenges with neighbouring countries such as Iran.

The timing of the debate is obviously appropriate, coming as it does just after the 60th anniversary of the founding of the state of Israel, and it is important that we celebrate that milestone and the country's many successes, which have been covered in the debate. We should recognise what it has achieved in its fairly short history. The anniversary is also an opportunity to look forward to the next 60 years and beyond, and it is important to take a sober look at the prospects.

The future of Israel must lie in finding peace with its neighbours. Sadly, the prospects for that look increasingly fragile. I visited Israel in 2000, which is some years ago. Such a visit is essential if one is to understand properly the climate of fear surrounding the security situation in the country—the tension is palpable. I was also struck on my visit by the beauty of the country and how varied it is, despite its small size, from the mountainous north and the Golan Heights to the wonder of the Dead sea, the beautiful golden beaches next to the bustling city of Tel Aviv, which were mentioned, and Jerusalem, which is, frankly, stunning, with history around every corner.

Jeremy Corbyn: When the hon. Lady went to the Dead sea, did she notice that its water level was falling by between 1 m and 2 m a year and, because of excessive water abstraction, that it will disappear within the next 20 years?

Jo Swinson: Having visited only once, I did not notice the change in the Dead sea, but I have read of the problems arising from lack of water. Indeed, I had not necessarily clocked the politics of water in the area generally—it is vital and underlies many of the political tensions. With climate change, those are likely only to increase.

Obviously, my visit was a few years ago, so I thought it would be good to hear from people who have visited more recently. I spoke yesterday to my hon. Friend the Member for Brent, East (Sarah Teather), who last month was on a cross-party delegation to Israel to see the situation. She was struck by the problems and difficulties, from the Israeli town of Sderot, which is under daily mortar fire—indeed, the delegation of MPs narrowly missed being hit by a Qassam rocket at the Gaza checkpoint—to Gaza, which she described as an appalling horror. Lakes of raw sewage surround it and there is a lack of basic medical supplies, such that there is a life-or-death lottery based on whether a person can get a pass to visit better medical facilities—some Palestinians receive treatment in those facilities, as the hon. Member for Liverpool, Riverside (Mrs. Ellman) mentioned.

That is the backdrop, but, equally, there is agreement in the House on the need for two separate states—Israel and Palestine—with secure borders, and on the need to rid the area of the scourge of violence that has blighted so many lives on both sides and that has created an atmosphere in which people live day to day in a state of fear.

The re-launch of efforts for the peace process at Annapolis was viewed by many as slightly optimistic, given its timetable for conclusion by the end of 2008, but it must be remembered that there is no better way than dialogue. The current situation and the violence will not bring a solution, so despite the many barriers and obstacles to success, dialogue must be the path that we pursue. The Quartet has some flaws. It is widely seen as US driven, but the US is not necessarily seen as an honest broker in the process, and given our former Prime Minister's history in Iraq and the region, he was not necessarily the most obvious choice as a representative to bring peace, although we wish him well in that difficult job. The Quartet has much dialogue with Arab countries, but its lack of an Arab representative is a problem. It would be better if it was driven by the UN instead of the US and if it was chaired by the Secretary-General.

Obviously, the daily violence will be a huge barrier. Until that violence is renounced, progress is not likely, and the history of suspicion and mistrust on both sides, which we have heard about today, will be difficult to overcome. The injustice of Gaza and the humanitarian problems are pressing—until there are basic humanitarian standards, it will be incredibly hard to see a way forward.

On the other hand, only a couple of weeks ago the Quartet expressed deep concerns about the settlements issue. Indeed, as my hon. Friend the Member for Edinburgh, West (John Barrett) said, the number of settlements could reduce the viability of a Palestinian state. If we want a two-state solution, that thorny issue needs to be tackled, as does the political situation, including the election of Hamas and the historically weak leadership on both sides in relation to acting and taking the risk for peace—I do not recall who said that, but it was a good way of putting it. It is a risk, but it needs to be taken. The prize is worth it.

Although the situation can seem hopeless, we can see chinks of light if we choose to look for them. The citizens of Palestine and Israel want to live in peace, like most people—it is a basic aspiration. That is a good starting position, and we need to focus on getting the parties talking. We need to recognise that if we wait until we meet the three conditions that were outlined—the renunciation of violence, accepting previous peace agreements and recognising Israel—before talking to Hamas, we might leave it too late. There needs to be no doubt that renunciation of violence is essential, but if Hamas makes positive moves, they should be rewarded, working towards the other two conditions being met. The dialogue process is essential if we are to find peace in the region.

I recently met Waza Fahoum, an Israeli-Arab, who was on a trip to the UK. An incredibly inspiring person, she is the chair of an Arab-Jewish centre in Haifa called Beit Hagefen. At grass-roots level, the centre organises meetings, cultural activities that celebrate both Arab and Israeli culture, educational classes and festivals, and provides lots of opportunities for Arabs and Jews to work together. To me, it seemed that at least at the grass roots some people are getting it right and finding a way to live together in harmony, learn, and share time and culture. We should focus on those things as points of light and optimism for a future settlement.

The politicians in the region would do well to learn from some people at the grass roots who are making those things happen and working together in peace and harmony. Only when politicians learn to engage in dialogue and follow such examples will we see peace in that troubled region.

10.38 am

Mr. David Lidington (Aylesbury) (Con): I congratulate the hon. Member for Grantham and Stamford (Mr. Davies) on securing this timely debate, even if he was not able to introduce it under the precise title that he wanted. He and many other Members have rightly paid tribute to the achievements of the state of Israel in the past 60 years.

More than anything else, an episode from my first visit to Israel some years ago sticks in my memory. I visited an immersion centre to see the work to induct Falashas from Ethiopia, and Russians who spoke no other language and who had lived only in the Soviet Union, into Israeli life, language and culture. One of the defining characteristics of Israel is the conscious and successful efforts to forge a nation from people who come from disparate cultural and linguistic backgrounds. That is a remarkable achievement in its own right.

Hon. Members have spoken of Israel's achievements in different spheres of life over the past six decades. My hon. Friend the Member for Harwich (Mr. Carswell) spoke about Israel's achievements in medicine. Several hon. Members spoke about the quality of Israeli universities and the country's commitment to high educational standards. We could talk about Israel's scientific and technological achievements; and, as the hon. Member

[Mr. David Lidington]

for Liverpool, Riverside (Mrs. Ellman) did, about the way in which Hebrew has once again been developed as a living language. We could talk about the flowering of Jewish art in Israel, or about the work of Israeli historians and archaeologists. We could talk about the way in which Jewish musical traditions have been fostered, or the fact that Israeli musicians are among the foremost players and conductors of classical works in the western tradition. There is a great deal to celebrate in Israel's culture and its economic achievements.

There is also a great deal to celebrate in Israel's political and constitutional achievements. Israel is a state that abides by the rule of law. As the hon. Member for Liverpool, Riverside said, the courts do find against the Government and, crucially, the Government then obey what the courts have said. Israel is also a vigorous democracy.

Jeremy Corbyn: I am interested in the hon. Gentleman's point about Israel abiding by laws. Israel has flouted a large number of UN resolutions, and as I said in my speech—perhaps he will comment on this—70 Palestinian parliamentarians who were democratically elected in internationally recognised elections are still in Israeli jails.

Mr. Lidington: The hon. Gentleman will know from other debates that I am not uncritical of the decisions that have been taken by Israeli Governments and authorities over the years. There are also fierce critics of Israeli Government decisions in Israel itself. However, it is fair that we describe and celebrate the fact that we have a vigorous democracy in the middle east. One will find as many opinions in Israel as there are Israelis—indeed, the fiercest critics of Israeli Governments are often sitting in the Knesset or writing for Israeli newspapers. That is a sign of strength. In which other country in the middle east has there been the same level of public scrutiny as there has been, for example, of the conduct of the 2007 war in Lebanon?

When I went to Israel at the end of last year, I wanted to see the effects of the barrier around east Jerusalem. It was an Israeli non-governmental organisation or pressure group—B'Tselem—that took me around and explained the harm that it believed Israeli policy was doing to Palestinian political aspirations and economic prospects. If one is looking for people who are demonstrating and lobbying for Palestinian rights—I have heard the hon. Member for Islington, North (Jeremy Corbyn) make this point himself on the Floor of the House—one will find them in Tel Aviv and other Israeli cities. Again, that pluralism is a source of great strength.

It is right, however, that we also recognise that there is a great missing ingredient in the Israeli achievement. The situation was summed up quite well by a columnist in the *Financial Times*, who said:

> "As long as Palestinians are in despair the Israeli-miracle will remain, like Schubert's eighth symphony, unfinished."

Last year, the Israeli Prime Minister, Mr. Olmert, openly said that without a settlement based on a two-state solution—an Israel that is recognised by her neighbours and that lives within secure boundaries alongside a viable, independent Palestinian state—the existence of the Israeli state will be at risk.

I therefore passionately hope that the Annapolis process, for all its imperfections, will succeed. We have debated many times in the House what needs to happen if we are to see that success. We need the rockets to cease being fired from Gaza at Sderot and other cities. We need improvements to security on the west bank, so that not only politicians but ordinary Israeli citizens can feel confident that their security against suicide bombers will be maintained. I am happy to repeat that we need action to stop the growth of settlements and remove the outposts because that, more than anything else, will send a message to those Palestinians who are committed to negotiation and the path of peace that there are real gains to be had from engagement in the process of negotiation and peacemaking.

I hope that we hear from more and more Arab leaders throughout the middle east a public and repeated commitment that if and when Israel and the Palestinians reach a settlement, that settlement will embrace the entire region. King Abdullah of Jordan has spoken out along those lines. The invitation to Foreign Minister Livni to speak to a conference in Qatar a few weeks ago was a further encouraging sign. Prince Turki al-Faisal said that if there was peace between Israel and the Palestinians, he—one assumes that he was speaking for many in the leadership of Saudi Arabia—would regard the Israelis as their brothers in the region. Those moves are all welcome.

When I went to Sderot last December, I noted that a square in the city was named after the late King Hassan II of Morocco. It was King Hassan who said that if the Israelis and the Arabs could live in peace and work together, they could turn their region into the garden of Eden. That is the vision that should inspire us, despite all the difficulties. That goal is profoundly in the interests of our country and of Israelis and Arabs in the region.

10.47 am

The Minister for the Middle East (Dr. Kim Howells): As ever, it is a pleasure to serve under your chairmanship, Mr. Atkinson. I congratulate my hon. Friend the Member for Grantham and Stamford (Mr. Davies) on securing the debate, which marks the foundation of the state of Israel. Although we might agree or disagree with parts of his speech, we all recognise that it was a tour de force as a short history of the conflict and the process of state building. I also congratulate all the hon. Members who have taken part: the debate has been not only interesting, but incredibly disciplined, and I know how strongly they feel about the ongoing conflict.

Like the Prime Minister and the Foreign Secretary, who have both recently spoken on this subject, I am happy to celebrate this historic anniversary. As we have heard, the establishment in 1948 of a homeland for the Jewish people followed centuries of discrimination and persecution. As hon. Members have said, the holocaust was persecution at its most chillingly murderous, and the Jewish people had long suffered such hatred. In trying to describe the uniqueness of Israel, my hon. Friend the Member for Birmingham, Erdington (Mr. Simon) reminded us that the country was created out of that crucible of horror and in a maelstrom of further violence. It is a tribute to the tenacity and imagination of the Israelis that their country has, in just 60 years, developed from a fragile political novelty into the vibrant, economically dynamic and technologically advanced country it is today. No one mentioned it but, from a mere 650,000, Israel's population has grown to 7 million, which includes immigrants from 96 countries, speaking 66 different languages.

My hon. Friend the Member for Grantham and Stamford reminded us that Israel's gross domestic product per capita is comparable to that of some of the Gulf states, which is remarkable. It does not have coal, oil or gas—or only a little: perhaps some will be found offshore—so those figures are a great achievement. We have heard from hon. Members some of the details of Israel's turbulent history. The hon. Member for Harwich (Mr. Carswell) reminded us of its great economic and scientific achievements, which were created and recorded in the teeth of wars. I am old enough to remember listening to what I think was the first account I ever heard of a war—the 1967 war, which was broadcast almost live. I doubt whether there had been a war, certainly since the second world war, with such a commentary. Yet at the same time the great achievements that the hon. Gentleman outlined were under way.

My hon. Friend the Member for Birmingham, Northfield (Richard Burden) is a doughty contributor to debates on Israel and he cares enormously about the region. He reminded us of the collective memory of not only the Israelis but the Palestinians. He told us that the Palestinians must be not only tolerated but welcomed as citizens of Israel. I have met many Palestinians in Israel who feel that they are welcomed, but I know what he means. The debate about the place of Palestinians is as active now as it was 60 years ago in the state of Israel, and it cannot be ignored. The day after Israel's birthday party, none of the issues, such as the religious settler divide and the place of minorities—especially Israeli Arabs—appears any easier. They must be made easier—a way through must be found.

The hon. Member for North-East Bedfordshire (Alistair Burt) reminded us in a wonderfully apposite way of the military and terrorist threats that poison relations between Israel and its neighbours and affect the debate about what kind of state Israel should be. That problem has never gone away.

My hon. Friend the Member for Gateshead, East and Washington, West (Mrs. Hodgson) listed some of the Israeli state's social, health care and educational achievements and the lessons that we might learn from them—especially those achievements generated by mass immigration of sometimes poor and poorly educated people into a small, crowded country. That involves recognition of what a great potential asset they are to the state, as the hon. Members for Harwich and for Aylesbury (Mr. Lidington) and my hon. Friend the Member for Liverpool, Riverside (Mrs. Ellman) said.

My hon. Friend the Member for Hendon (Mr. Dismore) highlighted the numbers of Jewish refugees who, in the early days, returned to what they considered to be their homeland. The story is not a simple one of the displacement of one people because another people moved in. It was a complicated time and, as I have said before, there were great hopes that people could live in one state or in a federation of nations in the region. The present situation is a consequence of a litany of war and hostility, enunciated so well by my hon. Friend the Member for Grantham and Stamford.

My hon. Friend the Member for Hendon said that Israel may have won the military wars but it has largely lost the war of public opinion, and I think that he is right in many ways. The war continues. There should not be a war; what is happening should be about information, and some of the tremendous achievements that we have heard about today should weigh in on the side of acceptance that a state exists that should be living in peace with its neighbours. My hon. Friend told us, as others did, of the threat to Israel and to other, Arab, states posed by Iran with its expansionist rhetoric, if not actions.

My hon. Friend the Member for Islington, North (Jeremy Corbyn) always takes part in debates on Israel. He reminded us that there will be a Select Committee hearing this afternoon on the occupied Palestinian territories and aid from this country, which is very extensive, as is aid from the EU. He reminded us of the destruction of villages and, most vividly, of the dreadful humanitarian situation in Gaza. He is right to bring that to the debate, because there will not be peace in the area until the problems are solved. The humanitarian situation in Gaza is shocking, and I know that my hon. Friend understands full well the tensions generated not just by what he describes as the fence of barbed wire and blockades around Gaza, but by rockets being fired out of Gaza and bombs hitting it. That is an intolerable situation, which must be resolved.

My hon. Friend the Member for Grantham and Stamford reminded us of one of the reasons for what is happening. I, too, can think of very few peoples who have been as badly served by their leaders as the Palestinians. It is dreadful. I remember when I began to hear the first stories of the corruption of the Arafat regime. I suspect that that corruption continues to this day, and it has done no good to the reputation of the Palestinian leadership.

John Barrett: Will the Minister add something about what the former Prime Minister Tony Blair has added to the mix in his new role as peace envoy to the middle east?

Dr. Howells: I was going to come on to that, because I wanted to answer some of the comments made by the hon. Member for East Dunbartonshire (Jo Swinson).

My hon. Friend the Member for Islington, North is right to highlight the matter of the 71 Palestinian parliamentarians who remain in jail. They should be either charged and tried, or released. It is as simple as that. It does Israel's reputation no good when that story circulates continuously through the Arab streets.

My hon. Friend the Member for Liverpool, Riverside enunciated some great achievements and contrasted them well and sharply with the cult of death and the absurdity of wallowing in the notion that suicide bombing is somehow a redemption of what has happened to the Palestinian people. Suicide bombings are obscenity, and that philosophy should be resisted at all times.

The hon. Member for East Dunbartonshire spoke of Israel's remarkable achievements, but I do not agree with her that the Quartet is driven by the US. I have had the privilege of taking part in Quartet meetings and the US is one player, along with the UN, the EU and Russia. Those representative bodies are not easily pushed to one side. I have had the privilege of travelling extensively across the region and speaking to Arab leaders and ordinary citizens, and I believe that Tony Blair was a good choice as an envoy. He is capable of making a

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difference in helping to mobilise the economic potential of the region. I remind the hon. Lady that the Quartet met the United Arab Emirates, Egypt, Saudi Arabia and Jordan in London on 2 May. Those were useful talks and, like the hon. Member for Aylesbury, I hope that, as part of the Annapolis process, they succeed.

NHS (Elderly People)

11 am

Mr. Richard Benyon (Newbury) (Con): It is a pleasure to be under your watchful eye, Mr. Atkinson. I recognise that I must approach this important subject with a degree of caution. If my remarks are not balanced, it will diminish the arguments that I seek to make. I shall therefore start by putting on record the fact that millions of elderly people are treated successfully every year in the national health service. Staff across the NHS do heroic work to care for people whatever their age, and we owe those dedicated professionals our profound thanks. My family and I have received superb care from the NHS, and while spending a day as a porter at my local hospital, the Royal Berkshire hospital, I witnessed superb care being given to elderly patients.

However, I would not want that glowing accolade to cover up the key point of this debate, which is to show that there are problems with care for the elderly in the NHS. I aim to draw to the House's attention the plight of a minority for whom hospital is a frightening and often unpleasant place. I am sure that I am not alone in finding in my postbag and hearing in my surgeries increasing concern about the negative experiences of elderly patients in hospital. That does not necessarily apply only to my local hospitals; people come to us to talk about the treatment of relatives all over the country.

The moving force behind my application for this debate was a well-known constituent of mine who contacted me. The name Jenny Pitman will be familiar to anybody who has been involved or has an interest in racing, but her name has gone further. She is not just a successful trainer of grand national winners; she is a woman of huge strength of character and forthright views. Having recovered from cancer herself, she knows all about how the NHS works. Her elderly but hitherto healthy father died of clostridium difficile in a local hospital. That tragedy prompted her to make some remarks that hit the national press. After that, she was deluged with letters and e-mails from around the country detailing horrific cases of appalling care standards and neglect. She has shared that correspondence with me. I have some of it with me today, and I intend during this debate to give voice to the many families who have experienced the distress of witnessing a loved one die through neglect or receive treatment that falls short of the standards that we all expect. I shall detail some of those tragic cases in order to highlight the range of ways in which elderly patients are being failed by the NHS, outlining problems with hygiene, a lack of basic care and respect for patients, poor nutrition and, perhaps most importantly, a lack of specialist training in dealing with the elderly, particularly those with dementia.

It is important to note that older people are the main adult users of most NHS services. However, it is clear that the NHS is not organised with older people's needs at the forefront. That is not just my view; it is also the view of Age Concern. Recent research by the British Medical Association showed that doctors believe that health care services for elderly people are simply not good enough. The research found that eight in 10 doctors believe that health care services for older people are not up to scratch, and only one in 10 believes that enough money is being spent on care for the elderly in the NHS.

Mr. Andrew Smith (Oxford, East) (Lab): I congratulate my near neighbour on securing this debate on an important issue. He referred to the level of resourcing; we are all aware of the challenge presented by an ageing population. Does he agree that many instances of inappropriate care or lack of adequate nutrition—constituents have certainly drawn to my attention cases of people not being fed properly in hospital—have less to do with the level of resourcing than with the need to improve training and supervision in hospitals on day-to-day care, such as actually feeding people rather than just putting a tray in front of them? That is something that we all want to see.

Mr. Benyon: I agree entirely. The right hon. Gentleman makes a good point. Nobody in this House would deny that enormous resources have been put into the NHS. I am simply voicing doctors' opinions on resources as expressed through the British Medical Association. He is absolutely right: the problem is often not financial but cultural, the result of individual, fairly low-level managerial decisions, and it can be rectified without any great call for new resources. However, I shall come to that in a minute.

On 13 March in this Chamber, Members debated the 2007 report of the Joint Committee on Human Rights on the human rights of older people in health care. The report—this is the point that the right hon. Gentleman alluded to—found that a complete change of culture is needed to protect the human rights and dignity of older people in the NHS. Health care professionals as well as patients are speaking out, and it is important that the Government not only listen but act.

Our ageing population is arguably a product of the NHS's success in other areas. There are just under 5 million Britons aged 75 and over, and the number of people over 85 will double nationally in the next 20 years. In my constituency, and possibly that of the right hon. Gentleman as well, it will double in the next 10 years. Unless we address the problems now, we face a demographic time bomb that will cause huge problems for future health care provision. With more elderly people in the UK relying on the NHS for treatment, it has never been more important that the problems with standards of care for the elderly are addressed.

I should like to extend this debate to the issue of care for those with learning difficulties, but I recognise that an important inquiry is going on in the Department of Health involving six cases, one of which occurred in my constituency. We await the report, which is the product of important work by Mencap, but it is vital to recognise that too many cases of unforgivable neglect occur because staff have not had the time, training or ability to attend to their patients' most basic needs. That must change.

It is clear from reading just a few of the letters that Jenny Pitman and I have received from people whose elderly relatives have had unpleasant or upsetting experiences in our hospitals that the problem—when it occurs; it is important to make that point—lies in an absence of the most basic care. Nursing staff are clearly overstretched. There are far too many patients per nurse. As a result, the most fundamental aspects of care, such as feeding, changing and bathing, are being overlooked.

I spoke this weekend to a nurse who discussed the shortage of nurses going into geriatric care. She told me how an average shift is structured. It is not unusual for half of it to be taken up with—I shall choose my words carefully—bodily functions: bedpans, soiled bed linen and so on. It is not glamorous work. It can take about 45 minutes to feed a patient. While doing their best to keep the ward clean, cater for new admissions and handle patient crises, NHS staff just do not have the time to give the level of care that most of them would like to give.

One constituent told me of the experience of his father, Mr. Albert Unwin, who died earlier this year. Mr. Unwin went into hospital for treatment for a knee injury. He was left in a side room, unable to get out of bed and with his urine bottle and emergency alarm out of reach, for long periods. On one occasion, Mr. Unwin grew desperate and, hearing voices outside the room, started shouting to get a nurse's attention. Twenty minutes later, and growing increasingly desperate, he was forced to use a Marmite jar left beside his bed to bang on his metal rails to draw someone's attention. Another 20 minutes later, a nurse came in and chastised him for making such a racket. Where is the dignity and, more worryingly, the care, in that?

All too often, it seems that older people are being made to feel invisible in our hospitals and driven to "misbehaving"—that was the word that the nurse used in that case—to get the attention of staff when in urgent need of assistance. Cases such as Mr. Unwin's prove that simple elements of care, such as ensuring that a patient's emergency alarm is within reach, are not being carried out, resulting in unnecessary distress to patients. Just last month, the Department of Health released figures on its website revealing that despite massive investment in the NHS, the patient experience is actually getting worse. Hospital standards have slipped on cleanliness, friendliness and comfort from last year.

A student nurse wrote to Jenny Pitman outlining her own experience working in a hospital. She exposed massive understaffing resulting in the gross neglect of elderly patients, and recorded incidents of patients being left sitting in their own faeces and ending up with severe bed sores, of rough and disrespectful treatment of patients while washing and of a shocking lack of attention to cleanliness, whereby wash bowls were not changed or properly cleaned between patients—that means patients having their faces washed in a bowl that had cleaned previous patients' bodies. Nobody can read that e-mail without being profoundly shocked. I recognise that it is an exception, but even with that caveat it is absolutely disgraceful that such things happen in this day and age.

Unfortunately, such reports of a lack of attention to hygiene are a recurring theme in letters that I receive. As we know, hospital cleanliness is of the utmost importance, particularly for elderly patients, who are known to be the most vulnerable to superbugs such as clostridium difficile and MRSA. According to the Health Protection Agency, in 2007, there were an estimated 49,785 record cases of C. diff across the UK in patients aged 64 and older, and 6,383 reports of MRSA between 2006-07. Professor Brendan Wren, from the London School of Hygiene and Tropical Medicine, claims that 6,500 people die of C. diff in UK hospitals every year, which is the equivalent of one person dying every hour in our hospitals. In 2003-04, there were 7,700 reported cases of MRSA, which means that there would have to have been a total of 3,850 or fewer cases of MRSA last year to meet the Government's target. However, HPA figures released in

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April showed that there were 3,471 cases in the first three quarters, meaning that we really must question whether the Government are meeting their target for controlling such hospital-borne infections.

Frankly, infection control in hospitals needs improving, and the lack of management of infection control in some hospitals, wards, and hospital facilities needs to change. Although it is encouraging that work is being done by PCTs and trusts to tackle the issue of cleanliness in hospitals, more needs to be done. I accept that we are deep cleaning our hospitals, but there is no evidence that this is a long-term solution. What really needs to be addressed is the attitude of staff to hygiene through managerial support and appropriate training, so that cleaning wash bowls, for example, becomes a priority, rather than something that can be overlooked owing to lack of time. Regular hygiene control must become a habit, rather than a one-off.

I have tabled some written questions on venous thromboembolism, which is known as the silent killer, cases of which have increased dramatically—in fact, my predecessor but one as the Member for Newbury, died of just that condition. I feel very strongly about it, and we are starting to see an increasingly huge number of claims against the NHS. It is an area of concern that will mirror concern about MRSA and C. diff in coming years.

An issue that seems disproportionately to affect older people in hospitals is the lack of dignity that they are afforded. The fact that grown adults, who have worked all their lives, brought up and supported families and even fought for their country are being left in their own faeces for hours on end, or told off for trying to draw someone's attention to the problem, is a national disgrace. Unfortunately, however, that is not the only way in which an older patient's dignity can be taken away. There are more subtle, but always equally upsetting, ways in which older people are being degraded while in hospital.

The Healthcare Commission reports that the three most common causes of complaint in relation to dignity were patients being addressed in an inappropriate manner, being spoken about as if they were not there and not being given proper information. Those seemingly small things combine to make the experience for vulnerable, older patients not only degrading but often frightening and upsetting. One case of best practice that I particularly liked, which I heard about from the same nurse at the weekend, was the displaying of photographs of patients by their beds, showing them in younger years. She described someone near to the end of her life—a husk of a body—next to whom was a photo of her, in earlier years, as a head teacher of a much-respected local school. All around the ward, there were pictures of patients as soldiers, parents and pillars of the local community. That brought home to the staff working there that they were dealing with real human beings who deserved the respect that they were giving them.

Mixed sex wards also continue to be an issue—my hon. Friend the Member for South Cambridgeshire (Mr. Lansley), the shadow Secretary of State for Health, has been talking about this today—affecting older patients' sense of dignity. Despite the Government's repeated promises to abolish mixed sex wards, there has been a disappointing lack of progress, with targets being missed and many elderly patients being inappropriately placed in mixed sex wards. The Healthcare Commission's 2007 annual inpatient report showed that one in four patients had to share a sleeping area with the opposite sex when first admitted to a hospital ward. In his reply, I hope that the Minister will talk about that and say, in particular, what defines a mixed sex ward. For example, we know that elderly people are concerned about walking past other wards containing people of the opposite gender on their way to use the lavatory. This needs to be looked at through the eyes of the patient. I am aware that Lord Darzi has started to retract the pledge given on mixed sex wards, but this remains a matter of great concern to elderly people.

Older patients are more likely to have health issues additional to those for which they are being treated in hospital, of which dementia is a leading example. The lack of training and knowledge in our hospitals for dealing with patients suffering from dementia is of very great concern.

David Taylor (North-West Leicestershire) (Lab/Co-op): I thank the hon. Gentleman for securing this debate and for allowing my intervention. The all-party group on dementia, of which I am a member, produced a report on the use of antipsychotic drugs in the care of dementia entitled "Always a Last Resort", and last Wednesday, I introduced a ten-minute Bill on the same subject. One in three of over-65s—that includes us in this Chamber—will face dementia towards the end of their lives. Does he agree that his description of the inadequacies in training should include the inadequate training for dealing with dementia? Half of patients in private care homes being prescribed antipsychotic drugs had their prescription started in hospital. Too frequently, antipsychotic drugs are used because staff do not have the time or training to deal with some of the distressing symptoms associated with dementia. That is a really crucial issue that I hope will be addressed in the national dementia strategy, which will be published later this year. Does he agree with that?

Mr. Benyon: I certainly do; and I hope that the Minister will touch on the national dementia strategy and training.

I shall come on to the transfer of responsibility for the patient from the hospital to social services. The control of drug use by a patient with dementia is very important. That is particularly relevant to me, because someone in my community found themselves in that situation recently. The hon. Gentleman was absolutely right when he said that the work of the all-party group was vital. He will be much missed in the House when he hangs up his boots because he has great experience in issues such as this. It is vital that the Government listen to such views.

I was told about a patient who was suffering from dementia. She was left unfed for long periods of time, and often had full plates of food taken away because no one would help to feed her. Even if she had been able to feed herself, it would not have helped because the food was often left out of reach. The patient's daughter was forced to go into hospital at meal times. That is not a one-off case. Patients' families often have to make the time to go into hospital to feed a relative because no one else is doing it. When the daughter asked a member of staff why they would not feed her mother she was told that the "demented"—she actually used that word—had a choice to eat or not and that it was not the job of the staff to feed them. That was in a hospital in Kent. Again, with my caveat that such examples are the exception rather than the rule and that much wonderful work is being done, the fact that that happens once in this country is something that many of us find deeply shocking.

Dementia sufferers need a completely different level of care from other patients. The fact that our hospitals often cannot provide such care is a matter of deep concern. The right hon. Member for Islwyn (Mr. Touhig) made a very good contribution in the debate on the Public Accounts Committee report last week. He said that

> "between half and two thirds of people with dementia never receive a formal diagnosis at all, let alone an early diagnosis. Absurdly, many dementia sufferers are not diagnosed unless they go into hospital with another illness or an injury."—[*Official Report*, 15 May 2008; Vol. 475, c. 1599.]

The PAC report said that the main obstacle that prevented correct and early diagnosis is GPs' poor knowledge and lack of training. It said that compulsory training on dementia or older people's health is not a statutory part of GPs' training and there is no requirement in their continuing professional development to study older people's mental health.

David Taylor: Would the hon. Gentleman further agree with me that in cases in which there has been best practice in the treatment of dementia in its early to middle stages—both in private care homes and in the NHS—non-pharmacological approaches are often much more successful because they do not damage the quality of life, shorten life or increase the risk of stroke and all the attendant problems that are associated with the use of antipsychotics?

Mr. Benyon: The hon. Gentleman makes a very good point. As a layman, I would like to understand why drugs are being prescribed in a different way in different parts of the country. For example, I would like to know why, in some places, treatments other than antipsychotic drugs are being prescribed. The fear is that a dementia patient can be put in a state so that they will not be any trouble in a busy ward. In 2008, in the fifth richest country in the world, that is a matter of massive concern.

The situation on training is no better for nurses. The Royal College of Nursing told the National Audit Office that student nurses have between two to five hours' teaching on older people's mental health. I know that anyone who wants to go far in politics should not criticise nurses. However, I am not criticising the nurses, but the system that allows only two to five hours' training on older people's mental health. The NHS should insist on dementia training for health care professionals; it should be a clear requirement in the NHS that all trainee doctors and nurses learn about dementia.

I have gone on for longer than I intended, but I want to cover two very quick points. The issue of nutrition in hospitals is very important. Some 97 per cent. of trusts claim compliance with standards regarding help with eating in hospital, yet, according to Age Concern, only 58 per cent. of patients say that they always get the help that they need. A recent editorial published in the *British Medical Journal* found that about 20 per cent. of patients in general hospitals are malnourished, thin or losing weight. Up to 80 per cent. of those patients enter and leave hospital without any action being taken to treat their malnutrition because screening tools are underused and poorly enforced.

The National Institute for Health and Clinical Excellence recommends that all patients are screened for nutritional risk on admission to hospital. However, NICE estimates that fewer than one in three patients is screened on admission to hospital. One case that was brought to my attention was that of a stroke patient who was left for some 15 hours on a trolley without being given any fluids, despite severe vomiting the previous night. He was in such a state of dehydration that he was unable to talk due to the lack of saliva to lubricate his tongue. His family had to ask staff two or three times to provide intravenous fluids before anything was done to ease his discomfort.

I know that my hon. Friends have repeatedly urged the Government to do more to tackle nutrition. The amendments that they tabled to the Health and Social Care Bill would have created a statutory requirement for the proposed health regulator, the Care Quality Commission, to issue nutrition guidelines and to enforce them through new inspection powers and penalties. It was a great pity that those amendments were rejected.

I mentioned to the hon. Gentleman the handover from hospitals to social care. I believe that that process needs improving so that patients who need long-term care are given the best standard of service possible. It was very interesting to see the impact that a case, such as the one that I am about to mention, had on the community in which I live. An elderly person, whom I have known nearly all my life, was released from hospital and sent home without a proper statement of her needs being carried out. She was left in an entirely inappropriate way. She has no family and so had to rely on her neighbours, who have been quite exceptional in their care of her. They eventually got her readmitted to hospital, and she is still there today. The effect on the individuals around her was profound and it has stretched throughout the whole community. I cannot overstate the collateral damage that such a case does to the reputation of the NHS. Most people in my community, who have had a good experience of the NHS, were shocked when they heard of such an awful case. The damage done to the NHS, both locally and nationally, was profound. The Government must recognise that.

Help the Aged has reported a vast number of cases of inhumane discharge due to a desire to get rid of bed-blocking patients. The problems that occur in the transition between hospitals and social services seem to stem from a lack of consultation, lack of vital information, lack of clarity about options and a lack of choice for older patients. In the case that I just quoted, there was a complete misunderstanding of what drugs were prescribed and how that individual was supposed to understand when she was to take them.

There needs to be a change in the ethos of the NHS management so that nursing staff can provide the standard of care that they wish to give and that their patients deserve. Our nurses, health care assistants and carers do an extremely difficult job in incredibly tough circumstances. The job is made harder by bad management and a lack

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of specific training in how to care for the elderly. Understaffing and a lack of strong management on a hospital ward inevitably lead to low morale among already overworked staff. That contributes to the low standards of care that some elderly patients are reporting.

In conclusion, poor management and a diminished culture of care are allowing the NHS to fail in its duty of care for too many elderly patients. There needs to be a change in the culture of the NHS so that those who are most vulnerable—whether that be temporary or permanent—are given the standard of care that they deserve. I am aware, as we all are, that a number of Government initiatives have recently been announced that will go some way to addressing care for the elderly within the NHS. I look forward to hearing the Minister refer to them. I welcome the initiatives but I would like to emphasise the need to take active steps in applying wide-scale reform to the culture and ethos of the management of the NHS so that treatment of the elderly is changed for the good. The Government need to recognise that there is a problem for that key group, and that they have an obligation to ensure that the elderly are treated with dignity and respect while in the care of the NHS.

11.30 am

Greg Mulholland (Leeds, North-West) (LD): I congratulate the hon. Member for Newbury (Mr. Benyon) on securing this important debate on a topic that is close to a lot of our hearts and which we all take seriously.

As we all know, the elderly are often the most vulnerable in our society, and among those most in need of care. They are also the most likely to have the most complicated care and treatment needs. I think that we would all agree that how those needs are met in our health service must be a key indicator of how the NHS is fulfilling its role in society.

Like the hon. Gentleman, I acknowledge that there are many wonderful examples of care for the elderly in our health service. Unfortunately, as he said, there are still far too many examples not only of their needs not being met, but of people being subjected to treatment that is completely unacceptable and in some cases, such as those that he highlighted, absolutely scandalous and possibly criminal. Again, we would probably all agree that the societal attitude in this country still seems not to put as much value on older people as on younger people in all sectors of society. The Government cannot necessarily address that, but we all need to take it seriously and try to change it.

Turning to current developments in health, I say to the Minister that although the health agenda is changing fast, with a lot of initiatives and a lot of positive things happening, the debate brings into focus the fact that such things must not be pursued at the expense of the basics of care, which have been mentioned this morning. All health organisations must focus on simple things such as hygiene, nutrition and, particularly in the case of older people, dignity. Those values need to come to the fore a little more when NHS trusts release their mission statements, for example.

It is extremely worrying that 18 of the 23 hospital trusts studied in the report that the hon. Gentleman mentioned, "Caring for dignity", were deemed to be failing to care properly for the elderly. That is a damning indictment of health care provision in NHS trusts. Doctors, GP consultants and staff grade physicians responding to a British Medical Association survey, the results of which were released earlier this month, believe that health care services for elderly people are simply not good enough. For example, 68 per cent. of doctors believe that staffing levels are inadequate, and three in five believe that the necessary continuity in health and social services does not exist.

Not surprisingly, older people account for the highest use of acute hospital services. The NHS spends 45 per cent. of its expenditure on them, but that is not necessarily reflected in the priorities given by health trusts. I say to the Minister that that can be addressed at the grass-roots, organisational level of the NHS. That needs to be the focus. There have been positive developments such as the national dementia strategy, but I hope that the Minister will acknowledge that there still appears to be a disconnect between the positive policy initiatives that we all support and what is happening on the ground.

Older people's organisations, older people themselves and their relatives, families and carers highlight dignity in particular. As we know, older people are particularly vulnerable because they are often in positions of reduced control over their health and well-being. Help the Aged states:

> "Stories of older people left in pain, ignored, or distressed by a lack of privacy in health and social care settings emerge at such a frequency that they cannot be dismissed as isolated cases."

It also states that that is in spite of policy guidance. Again, things are not happening on the ground. The Healthcare Commission reports that the three most common causes of complaint in relation to dignity are patients being addressed in an inappropriate manner, being spoken about as though they were not there and not being given proper information.

The hon. Member for Newbury highlighted the problem of mixed sex wards and mentioned the figure in "Caring for dignity" showing that almost a quarter of elderly patients have had to share a room or bay with someone of the opposite sex at some time during their treatment. That is simply not acceptable. I echo his comments and ask the Minister when that figure will come down and when people will be put in mixed sex wards only in situations of emergency or absolute necessity. That is one of the major concerns for older people and their families.

The hon. Member for Newbury mentioned some particularly terrible cases of people not being taken to the toilet when they asked. In some of the worst cases, people have been allowed, or even told, to go to the toilet in their bed. He was right to highlight the knock-on effect of that on hygiene and health care associated infections. I chaired a Westminster health forum conference on that subject this morning.

We are not making the connection as we should, as is clear from the Healthcare Commission report on the appalling incident at Maidstone and Tunbridge Wells, which says that the families of patients

> "told us that when patients rang the call bell because they were in pain or needed to go to the toilet, their call often wasn't answered, or not in time. Particularly distressing, nurses had told patients to

'go in the bed', presumably because this was less time consuming than helping a patient to the bathroom. Some patients were left, sometimes for hours, in wet or soiled sheets."

I accept that that was a particularly awful and, I hope, isolated situation, but if we do not address the key issues of people's dignity, we will open a can of worms in relation to health care acquired infections.

I wish to highlight a couple more areas of concern. The hon. Member for North-West Leicestershire (David Taylor) rightly mentioned dementia. The wider issue of older people's mental health is of particular concern. Age discrimination is explicit in the health service in the case of people with mental health conditions. Someone over 65 is subject to a different service regime from someone under 65.

The difference between the services can be seen most starkly among those who experience a transition from adult mental health services to older adult mental health services when they turn 65. Many of them find that vital services on which they rely are no longer available to them. That is simply wrong, and I ask the Minister to look into it. I have said that the national dementia strategy is a good thing and that the focus on that distressing condition is welcome, yet age discrimination is inherent in the system. That is not acceptable.

The hon. Member for Newbury mentioned the need for training and I reiterate that there must be far more training for staff in the area of mental health. I also agree with him that the provision in this area within nursing training is not acceptable.

The final point that I want to make is about the worst problem in this whole area, which is elder abuse. In this country, elder abuse still goes on far more often than it should. It is often undetected and it still does not seem to be taken as seriously as it needs to be by the authorities. Help the Aged has estimated that at any one time about 500,000 older people are being abused in the United Kingdom. The Community and District Nursing Association told the Health Committee that 88 per cent. of district nurses report having seen cases of elder abuse. We know that the majority of elder abuse happens within the family, which makes it a difficult and distressing problem to deal with. Nevertheless, a considerable proportion of elder abuse is down to care workers and that must be clamped down on.

I ask the Minister this question: when will we start looking at providing more training in prevention and recognition of elder abuse? Surely, such training should be a mandatory element of all staff training for all front-line staff in the health and social care sector. Furthermore, to widen the debate, when will we see adult protection becoming a compulsory part of police training and would it not be a good thing for such training to be placed on a statutory footing?

I ask those questions because I am very focused on the human rights agenda and I know that the Government are also committed to that agenda. However, it still appears that the human rights of older people are simply not recognised in the same way as those of younger people. That is a situation we simply cannot accept.

In conclusion, I echo the point made by the hon. Member for Newbury, who said that in many years' time we will have considerably more older people in our society, so this issue will come into even greater focus. In 20 years, a quarter of the UK's population will be over 65 and the number of people over 85—that is the particular age group where a lot of these problems occur—will have doubled. So, this is something that we must tackle and an issue that we must address now, as a society; it is not just about Government.

As I said at the start of my speech, there are some positive policy initiatives, but we now must ensure that they are carried through on the ground and that we have a change of culture in the NHS, so that the dignity and care of older people are paramount. I hope that the Minister shares those sentiments, and I look forward to him addressing some of the points that have been raised by the hon. Member for Newbury and by me.

Mr. Peter Atkinson (in the Chair): I appreciate that the right hon. Member for Oxford, East (Mr. Smith) has changed his mind about speaking. I also appreciate that it is somewhat unusual for a Back-Bench contribution to come after the winding-up speeches have started—the hon. Member for Leeds, North-West (Greg Mulholland) will not have the opportunity to comment on the right hon. Gentleman's speech—but I gather that there is no objection to that and, as we have plenty of time, I call Mr. Andrew Smith.

11.43 am

Mr. Andrew Smith (Oxford, East) (Lab): Thank you, Mr. Atkinson. I was taking account of the time available. I thought that I would take the opportunity to make a few points, and I am sorry that the hon. Member for Leeds, North-West (Greg Mulholland) has already given his winding-up speech.

I congratulate the hon. Member for Newbury (Mr. Benyon) on raising this vital subject. It is crucial that elderly people receive the best treatment, whether in hospital or elsewhere in society, and none of us can be anything but very unhappy when that treatment is not provided.

I want to set my remarks in a wider context. Across the NHS, I believe that a fantastic job is being done by staff, including nurses and doctors. Indeed, I receive many more positive messages and letters, including from elderly people, about the treatment that they are receiving in the NHS than I do complaints. However, that in no way diminishes the importance of the points that the hon. Gentleman and other hon. Members have made in the debate.

Although incidents of poor treatment of the elderly are in the minority, when there are instances of people's dignity not being respected they are enormously concerning to us all. For example, I received a complaint from the daughter of one patient, who, on visiting her mother, saw that she had not been eating properly, her bed gown was dirty and she did not seem to be receiving proper care.

I feel sure that there would be common ground for the view that, although professional development, training, inspection and all those types of work are, of course, really important, what is also important is the daily entrenchment of a culture of sensitive caring on the part of everybody who is managing the treatment and care of elderly people. It is shocking when such good treatment is not provided and when there are these cases of neglect, including people being left in their own

[Mr. Andrew Smith]

faeces or not being fed. We think, "Well, somebody is seeing them and somebody is responsible for that ward, so why is the treatment not being provided?" The Department of Health—together with trusts, matrons and managers, and working with the nursing professionals, who will be fully signed up to the highest aspirations for standards of care—must make a concerted effort to root out totally unacceptable practices.

I take the points that were made about the importance of the national dementia strategy. There is a particularly poignant dimension to the position of people suffering from dementia. Often, they are not in a position to signal their needs and feelings, other than sometimes through what is seen as aggressive and inappropriate behaviour.

Furthermore, the idea that such aggressive or inappropriate behaviour should be controlled inappropriately by anti-psychotic drugs is utterly abhorrent. The Alzheimer's Society has estimated that more than 100,000 elderly people with dementia are being prescribed anti-psychotic drugs and that, in two thirds of cases, those drugs are unnecessary.

There clearly must be a thoroughgoing revision of the prescription policy on the use of those drugs. As was mentioned earlier, alternative therapies and ways of managing people's conditions should be used instead. No one pretends that the situation is easy, but this is a critical challenge that we all must face up to, in partnership with those in the NHS.

On nutrition, I do not think that it is just a question of monitoring, measuring and inspecting, although all that work has a role to play. I believe that there is also a common-sense issue of putting wholesome food, which people want to eat, in front of patients. I know that there have been pilot schemes in the west country—I dare say that the Minister will refer to them—using locally sourced produce, rather than the prepared meals that travel a long distance, are reheated and sometimes stuck on a tray that is out of reach of patients. Getting food that is nutritious and good to eat must be a common-sense part of the solution to those problems. Furthermore, the amount of food that is thrown away in the NHS is, in itself, an indictment of the inadequacy of the food supply system.

Mr. Benyon: I hope that the right hon. Gentleman may move on and take the opportunity to bend the Minister's ear on the question of specialist orthopaedic hospitals. I mentioned hospital-borne infections. It is worth noting that the level of infections is far lower in those specialist hospitals, yet they are suffering the difficulty of financing themselves, due to the question of the tariff.

I hope that the right hon. Gentleman, who is a very able chairman of the all-party group on specialist orthopaedic services and hospitals, will raise that point with the Minister.

Mr. Smith: The hon. Gentleman has done it for me. I can also assure him that barely a week goes by without my bending the Minister's ear on the position of orthopaedic hospitals in general and Nuffield Orthopaedic Centre in particular.

The hon. Gentleman is quite right: there are very low infection and cross-infection rates in the orthopaedic sector. Indeed, I hear enormous praise for the treatment that people receive at the Nuffield. That reinforces the powerful case for resolving the tariff problems that affect that sector, and in a meeting with the Minister a couple of weeks ago, I urged him to do that. This debate gives him the opportunity to discuss that important issue as well.

The point that I was making about food is that the predominant existing sourcing of food for the NHS clearly is not working that well in many instances, as judged by the colossal amounts that are thrown away. That is a dreadful waste. I presume that the amount ordered is thought to be the amount that patients might need to eat, but the fact that so much is thrown away is in itself an indicator of nutrition not being what it should be.

I look forward to the Minister telling us about the experience gained from efforts that have been made to give people wholesome and attractive food. The fact is not only that the general hospital experience benefits, but that there are direct health benefits, which aid recovery. Again, that is common sense and not at all surprising.

The hon. Member for Newbury mentioned the important matters of care after leaving hospital and social care. I certainly urge a continuing drive to maintain and enhance standards of care in social care homes. There are many examples of good practice as well as bad. I visited a St. John Care Trust home in my constituency a couple of weeks ago, and I was very impressed with the ambience of the place, the caring attitude of the staff, the positive feedback that I had from residents and the extra efforts being made. The aromatherapist who comes in happens to be blind, and she brings her dog so that the elderly people have something to pet. There was a warm and caring atmosphere.

The social care sector is often spoken about as a sort of Cinderella, but it is important to signal that very good work is done in it. There are issues around the training of social care staff, but I believe that many of them, through their caring attitude and day-to-day supportive work, bring an enormous amount that perhaps compensates for the lack of formal professional qualifications. It is important to enhance people's wish to care for elderly people and to attract and retain such people in the service, including the many migrants who have come to this country and done a good job. That should be praised, but it is clear that we need to learn from best practice and apply it more generally.

I close with a bit of lateral thinking, which was drawn to my attention just last week. The Ridgeway Partnership, which is the learning disability trust in Oxfordshire, is an excellent provider. The hon. Member for Newbury said that the treatment and care of learning disabled people are relevant to this debate. The partnership does a wonderful job with homes in the community and support for learning disabled people. It is one of the best performing trusts in the country. At a reception, it voiced to me the potential that there might be for applying the expertise that it has developed in domiciliary care precisely to the needs of elderly people, including the vulnerable elderly. In other words, it would support the third option. Many people would like to be not in hospital or a social care home, but in their own home.

I look forward to the Minister's response as to whether we might look at that example of best practice and run pilots whereby we could explore whether the service of such a trust, which has a track record of excellent service to the learning disabled, might be diversified to elderly people who may have higher-level needs and would like to stay in their own home.

This is a vital area. It is important that our criticisms are couched in an overall context of recognition of the terrific amount of valuable and successful work that is done through the NHS. However, there is no doubt that there is a formidable challenge in ensuring that the dignity of elderly people is properly respected, that they get the standards of care that we would all want for our own loved ones, and that unacceptable practice is driven out and, equally importantly, good practice is learned from and applied more generally.

11.55 am

Anne Milton (Guildford) (Con): I begin by congratulating my hon. Friend the Member for Newbury (Mr. Benyon) on introducing this debate and highlighting the very real problems of caring for the elderly in the national health service. In my speech, I shall pick up on some of the points made by the right hon. Member for Oxford, East (Mr. Smith). It is important to have balance in a debate such as this one. We realise that some very good practice is being followed, and it is important to pay tribute not only to the nurses and doctors but to all the care staff involved in looking after elderly people who are doing an excellent job; on the other side, however, there is no doubt that there are problems and areas of concern.

I gather that my hon. Friend was inspired to introduce this debate because of the experiences of Jenny Pitman, who felt that standards in the NHS had fallen well short of that which she expected. He highlighted cleanliness and dignity, and in all the issues that he raised he stressed the importance of the detail. The hon. Member for Leeds, North-West (Greg Mulholland) spoke about the basics. This debate is about the basics and the detail. It is about getting things right and setting the bar high for standards in the care of elderly people.

[MR. ERIC MARTLEW *in the Chair*]

When discussing cleanliness, my hon. Friend obviously had to raise the matter of some 6,500 people dying every year from C. difficile. Many agencies say that the problems with C. difficile and MRSA are down to standards and about nurses having the time to carry out procedures properly. I shall return to that later.

My hon. Friend also raised an interesting idea of having photos of people above their bed. I will refer to that when I close, but it is terribly important to remember that elderly people were young once and that some had terribly important jobs—perhaps more important than those of us in this House feel we have. We sometimes lose sight of that when we see in front of us someone who is, perhaps, incontinent, or who cannot feed themselves. People who have had a stroke at a young age tell us that the problem is particularly acute for them because they are treated as though they are elderly, when, in fact, they might be 45, and only the day before had responsibility for a full-time job and a family at home.

My hon. Friend discussed the care of people with dementia or mental health problems. There is no doubt that our concern about older people and the care that they receive should increase 100 per cent. when we consider the care of older people who have dementia or mental health problems. It is not easy to care for people who have dementia, who are confused, or who are older. It is triply difficult to care for people who have all those problems. The dignity with which we treat them is extremely important.

Speaking of dignity, I make no apology for the fact that much of what I say today relates to my experiences as a nurse in general hospitals and as a district nurse in the community. I am sure that the hon. Member for Crawley (Laura Moffatt), who is now not in her place, would agree with my comments, as she was a nurse. I remember somebody once saying to me that when a person goes into hospital they hang up their dignity as they go into the ward and pick it up when they leave. That was said to me many years ago, but it probably remains true today.

There is much talk about human rights and the human rights of patients. I always feel slightly despondent when I hear people talking in such terms, because things really should not get to that point. We should not need to demand that people's human rights be respected. This is a matter of courtesy, respect and being civil to people. It is not about patients, but about treating people. Somehow, it seems, people hang up their dignity and become a patient and a different being, and we are entitled to treat them differently and not with the same respect. We need to remember that we are treating people. People are being cared for by the state, so we have a duty of care to them that we should feel acutely. It is a long time since a radio programme called "Does he take sugar?" was broadcast, but a lot of what has been said today echoes what we heard in that programme. We often forget the person sitting in front of us.

Mixed-sex wards have been mentioned. I understand that the most recent Healthcare Commission survey reported that 30 per cent. of people are still sharing bathroom areas. The Government are trying to deal with this, but that is not good enough. Male and female patients having separate facilities is fundamental to respect and dignity. Generally, in all wards, there are curtains around a bed, but even if people are sharing a same-sex ward, that is not enough to afford them privacy when intimate procedures are being carried out. Everybody can hear what is going on and what is said behind the curtains, and often the curtains do not meet. Mixed-sex wards in any form are not acceptable. I should like the Minister to tell us what progress the Government feel they are making on this problem, which has been hanging around for much too long.

The British Medical Association recently reported that 20 per cent. of people in hospital are malnourished, thin or losing weight and that 80 per cent. enter and leave hospital without any action being taken to address their nutritional needs. Some studies have found that the number of malnourished people leaving NHS hospitals in England has risen by 85 per cent. in the past 10 years. During the Committee stage of the Health and Social Care Bill, the Minister and I discussed weighing and measuring children. If my memory serves me correctly, I mentioned that we are keen to do something about childhood obesity, but said that, at the other end of the scale, we should also be keen to do something about older people's nutrition. Poor nutrition can lead to older people getting thin and frail and can lead to

[Anne Milton]

confusion, mental health problems, dementia and depression. I should like the Minister to reassure us that the Government are taking malnutrition in elderly people seriously. It is not only what happens to elderly people when they go into hospital that matters: often, they are malnourished before they enter.

The right hon. Member for Oxford, East mentioned wholesome, locally sourced food. All hon. Members would go along with that. However, I think he missed the point. The problem in respect of much malnutrition in hospital is not that the food is not getting to the person's bedside, but that it is not getting into their mouths. A lot of people cannot feed themselves.

Mr. Andrew Smith: I mentioned trays being put out of reach. People need both wholesome food and the means to eat it.

Anne Milton: I do not think for one minute that the right hon. Gentleman does not consider that to be a problem, but it needs emphasis. How many times have hon. Members been on a ward or in any sort of care setting and heard a patient say, "Can you hand me my drink?" or, "Can you pass me the tray of food?" What is important is individual care, paying attention to people's nutritional needs and what food they like to eat and providing them with the ability to eat the food that is put in front of them. Although I am not one to rush into monitoring, staff need to be given clearer guidelines and we need to raise this matter as a priority. The danger is always that nutrition slips down the list of priorities and other things get attention first. I said to somebody the other day that the danger with oppressive targets in health care settings is that they become the priority. If nurses in hospitals that are short of staff are rushing around washing their hands, which we commend, they simply may not have the time to feed people. I would not like to see any issue gain importance above another.

My hon. Friend the Member for Newbury mentioned resourcing, which is an issue, along with training, support and nurses having the time to nurse and care. One of the most common problems that nurses contact me about is their feeling that they do not have the time to care for people in the manner in which they were trained and hoped to be able to practise, or in a way that maintains people's dignity and privacy and gives them the care that the nurses themselves would expect to receive.

I have to return to how managers treat their staff. To some extent, if we want people to care for others, they have to be shown the same amount of dignity, respect and courtesy and have to be treated with the professionalism with which they are expected to treat their patients. I am concerned that sometimes the management styles in the NHS do not necessarily engender that. The hon. Member for Leeds, North-West mentioned some of the problems experienced in Maidstone and Tunbridge Wells NHS Trust. Whether or not it is in the Health Commission report, there is a lot of anecdotal evidence suggesting that the management styles in that trust were poor, staff were not treated well or with respect, and staff had no way to complain to their line managers about what was going on in the wards. That is important. Although such feelings are subtle and hard to put one's finger on and cannot be measured, a lot of NHS staff feel that they are oppressed by targets and the need to produce figures and numbers, and that not enough time and attention are given to their concerns about the quality of care that they need to give. Quality takes time, and it means that people need more resources.

Hon. Members mentioned discharge from care—not only from care in hospitals, but from nursing homes and other settings. At every step, people's dignity must be maintained. We sometimes forget the fear following, for example, a fractured neck or femur or a stroke and the imminent prospect of discharge. I heard recently about an elderly gentleman who is frail and has been admitted to hospital with a stroke. He is in a fantastic stroke unit that is an example of the best practice that we have talked about. His discharge home is being planned: the man's wife is having a stair lift installed and is employing a carer to look after him. However, she and her husband have considerable fears. At the moment staff are on hand to help him to the lavatory, but he is concerned that, when he gets home, he will not make it to the lavatory. Those are the sorts of things that people are concerned about. Many people would prefer to be looked after in their own home, but there are some big buts for those people and their families. They want to be looked after at home, but only if they have help to get to the lavatory, only if their wife has somebody to help with the shopping and only if their wife has the time to feed them.

There are also complicated issues to do with people's feeling that they are a burden on others. The language used in respect of discharging people from hospital has been most unfortunate at times. People are referred to as bed-blocking, as though they were staying in hospital on purpose or as if it were their fault. It is not their fault; there is no doubt about that. I make no party political points about this matter. I hope that we will have a joint approach to the concerns about the huge number of elderly people for whom we will have to care and offer support in the years ahead. When I was training to be a district nurse a very long time ago—probably well over 20 years ago—I did a project on discharge home from hospital, and I read some research that pointed out that being in hospital is very brief interlude in someone's life. It is a brief spell out of their home, and at every step we must consider what people's needs would be in their own home.

The hon. Member for Crawley was not in her place when I mentioned her earlier, but I am sure that she shares my feelings about the care of the elderly in the NHS, because I know that she trained as a nurse. I am also sure that, like me, she was taught to provide the highest standards of care for the people she looked after. I continue to be proud of the fact that I trained at St. Bartholomew's hospital and of the training that I received there. All that I learned at that time stands me in good stead: it guides me as a politician. It is extraordinary how useful such training is for a politician—to some extent, that training and experience on the front line took me into politics.

Barts was a challenging place, and some senior nursing officers could have come straight from the "Carry On" films. They had buxom figures and were terrifying, but they reminded us that nurses in charge of a ward were in charge of a place that was someone's home for the time being and that we should treat everyone as if they were in their own home. The bar was extremely high on standards: nothing less than the best would do. I hope that the Government will continue to engender those feelings.

Hon. Members do not often recite poetry in this Chamber, but a poem that appeared in a textbook, "An Ageing Population", in 1981 has become famous. It refers back to the point made by my hon. Friend the Member for Newbury about photos above people's beds. It was found in the locker of a lady who had died and who had been unable to speak, and I shall read the beginning and the end.

What do you see nurses
What do you see?

Are you thinking
When you are looking at me

A crabbit old woman
Not very wise,

Uncertain of habit
With far-away eyes,

Who dribbles her food
And makes no reply,

When you say in a loud voice
'I do wish you'd try'

Who seems not to notice
The things that you do,

And forever is losing
A stocking or shoe,

Who unresisting or not
Lets you do as you will

With bathing and feeding
The long day to fill,

Is that what you're thinking,
Is that what you see?

Then open your eyes nurse,
You're not looking at me…

I remember the joys,
I remember the pain,

And I'm loving and living
Life over again,

I think of the years
All too few—gone too fast,

And accept the stark fact
That nothing can last.

So open your eyes nurses,
Open and see,

Not a crabbit old woman,
Look closer—see ME.

The Minister may introduce strategies and policies, but when thinking about how to address the dignity of older people, will he take himself out of his shoes, turn himself around, put himself in another pair of shoes, and see himself in 20 years, 30 years, 35 years, or even 40 years on? Will he think of himself having to be cared for and saying, "Once, in 2008, I was a Government Minister."?

12.14 pm

The Minister of State, Department of Health (Mr. Ben Bradshaw): How does one follow such poetry? With reference to the final remarks made by the hon. Member for Guildford (Anne Milton), as a teenager I nursed my mother through Alzheimer's to death, so I know a little about looking after elderly patients and caring for them, their needs and their dignity.

I congratulate the hon. Member for Newbury (Mr. Benyon) on securing this debate on such an important issue, and apologise to him and other hon. Members that the Under-Secretary of State for Health, my hon. Friend the Member for Bury, South (Mr. Lewis), who is responsible for this policy area, is not here to respond to the debate. He is absent from the Chamber for very good reasons, which I shall come to later.

We all agree that how we treat the most vulnerable in society, including the elderly, is a measure of our civilisation. We have a growing elderly population, who are healthier, longer lived and more materially comfortable than any previous generation. We also have a society in which people have higher expectations of their health and social care, and their quality of life. People not only expect that for themselves, but we in the Government expect the private and public sectors to provide it.

Although many elderly people are living longer and healthier lives, many need care in hospital or a care home, and stays may be more frequent or longer than previously. As the hon. Member for Leeds, North-West (Greg Mulholland) acknowledged, all parts of the Government, but not just the Government, have a responsibility to ensure that people enjoy dignity in old age. I shall outline some of the matters for which my Department is responsible.

First, statutory guidance in both the health service and social care places a legal obligation on all staff to ensure that people are treated with dignity. It provides a complete definition of abuse and a framework for public bodies to work with the police, the NHS and regulators to tackle abuse and prevent it from happening in the first place. It also sets out the framework for partnership working throughout Government and other agencies to deal with and prevent abuse of vulnerable adults. As well as that, we have a new local performance framework for the NHS, which builds on that and means that every nurse and every health care professional has a responsibility to safeguard and respect an individual's dignity.

Subject to parliamentary approval, the Health and Social Care Bill will create a new, integrated, independent health and social care regulator—the Care Quality Commission. The hon. Gentleman is aware that we are seeking to amend the Bill to reinstate the Government's original intention when passing the Human Rights Act 1998, which is that the independent care home sector should be directly subject to duties under that Act for the publicly arranged residential care that they provide.

Whatever the care setting, the Care Quality Commission will provide assurance that services are safe, people are not put at risk of harm and essential levels of service quality are maintained. The requirements that providers will have to meet will be set by the Government in secondary legislation—we debated that at length in Committee—and monitored and enforced by the Care Quality Commission. They will replace the existing core standards for better health in the NHS and the national minimum standards and regulations that apply to social care and independent sector care providers.

The independent Healthcare Commission's most recent survey, of 14 May, states that overall satisfaction with care remains high and is increasing with 92 per cent. of

[Mr. Ben Bradshaw]

patients saying that their care is either good, very good or excellent. The same survey shows that only 3 per cent. of patients say that they have been treated in an undignified way. The survey also shows improvements on some other issues that hon. Members raised, such as food quality. I shall come to some specific matters in a moment and explain how we hope to do better.

The national health service operating framework is basically the orders that go out to the service from the chief executive of the NHS, David Nicholson, setting its priorities in every year. For the last year, it has contained for the first time a core strategic requirement for a good user experience so that users of the health service feel that their dignity is respected. Health and social care providers will be measured against that standard.

A number of hon. Members talked about the importance of investment in nursing and the quality of nurse training, including issues of dignity. I am sure that they are aware that we have invested considerable extra resources in the number of nurses and in nurse training. There are 80,000 more nurses in the NHS than in 1997, 51 per cent. more students entered training to become nurses or midwives during the same period, and there are more senior nurses to help to drive up standards, including 831 nurse consultants and a commitment to increase the number of matrons to 5,000 to improve the quality of nursing.

I assure the hon. Member for Leeds, North-West that dignity is a core part of nurse training. The issue is not that it is not there and needs to be introduced. No nurse has ever been educated to say to anyone, "Go in the bed." That was one of the appalling findings that came out of the Tunbridge Wells and Maidstone inquiry.

Greg Mulholland: I wish to clarify the fact that, regarding dignity being a core value, I was talking about organisations such as NHS trusts, rather than nurses.

Mr. Bradshaw: I hope the hon. Gentleman will forgive me if I misunderstood, but I thought he implied that he would like dignity to be a core part of nurse training. It already is. However, it is also a core part of what is required from health providers. He can check the record on that if he wishes.

Greg Mulholland: On training, I said that we need more and more specific training. I mentioned mental health specifically.

Mr. Bradshaw: I suggest that the hon. Gentleman check the record.

The hon. Member for Newbury mentioned the case of one of his constituents, Jenny Pitman, who had a terrible experience in relation to a parent who was in hospital. My information is that the trust concerned is working closely with Jenny Pitman. She has quarterly meetings with the director of nursing to monitor progress on infection control; I think she has such a meeting next week.

On the general issue of infection control and health care-associated infections, I am sure that the hon. Gentleman will be pleased to note that the latest Health Protection Agency figures show a 30 per cent. decrease in MRSA—methicillin-resistant Staphylococcus aureus—to December 2007, for the last 12 months for which figures are available. There has been a decrease in C. difficile of 23 per cent. during the same period.

The hon. Gentleman's local hospital, which I imagine is the Royal Berkshire in Newbury, has had an encouraging 60 per cent. decrease in MRSA in just six months between April and December 2007. That is a tremendous tribute to the hard work of the staff and management of that hospital, which also had a 15 per cent. reduction in C-difficile in the same period. I hope that he welcomes those great strides forward by his local hospital.

The hon. Gentleman was kind enough to acknowledge that overall the NHS does an excellent job, that heroic work is done and that millions of people get excellent treatment—indeed, the hon. Member for Guildford (Anne Milton) said the same from the Conservative Front Bench—but he gave a number of specific examples of the service that people received not coming up to scratch.

The examples used by the hon. Gentleman related to unacceptably poor treatment. It is important that if a patient—an elderly patient or, indeed, the relative of an elderly patient—experiences what they believe to be unacceptable treatment, they use the robust and independent complaints process that is now in place to put those matters right. I have seen a number of cases involving people who have gone to the newspapers or come to my surgery to make such complaints. People need to have more confidence in the independent complaints process.

We have an independent Healthcare Commission to deal with such matters and an ombudsman, which is the second tier for complaints. It is important that people use that system because in the annual reports of the Healthcare Commission trusts are judged by the number of complaints made and how they dealt with them. If people do not bother to complain, the danger is that there will not be an incentive for the service to get better.

Anne Milton: Is the Minister aware that last year a report by Which? stated that people are concerned about what to do when an elderly relative is already in a care setting? There is huge concern—I have felt it myself—that if a complaint is made, it will be taken out on the relative who is still in the care setting.

Mr. Bradshaw: Yes, I am aware of that report. As politicians, it is important that we all encourage people to have faith in what most of us accept is a sound and robust independent complaints structure. It would be completely unacceptable for any organisation or trust to take it out on anyone who complained, as the hon. Lady mentioned. In my experience, only by using the complaints process are some of the problems uncovered and therefore resolved.

Incidentally, I also encourage staff to complain. I think the hon. Lady said that staff are often nervous of complaining when they see substandard behaviour in their own hospitals. We have a culture of encouraging whistleblowing in the health service and it is important that staff feel confident to complain—anonymously if they prefer to do so—to ensure that problems are dealt with firmly and robustly.

A couple of surveys on mixed-sex wards have been published in the past few weeks. One was from Ipsos MORI and the other was included in the annual Healthcare Commission patient survey. Both found a welcome decrease in the number of patients who reported sharing a sleeping area with a patient of the opposite sex. We welcome that. However, we also acknowledge that there remains some way to go for us to deliver on our commitment to reduce mixed-sex accommodation to a minimum.

Although occasionally the need to treat and admit a patient has to take precedence over complete gender separation, everything possible should be done to maximise privacy and dignity in those situations. We do not think it desirable to turn patients away just because the right bed is not immediately available.

This year's NHS operating framework states that, at local level, primary care trusts should assess the situation in all trusts in their area and agree, publish and implement stretching local targets for improvement. Given that, we hope and expect to see significant improvement in the Healthcare Commission survey scores for next year.

As I mentioned, my hon. Friend the Member for Bury, South normally speaks on this issue, but he cannot be with us today because he is launching the latest strand of the dignity campaign, which he established in 2006. As a number of hon. Members are, I am sure, aware, the purpose of the campaign is to create a health and social care system in which there is zero tolerance of abuse and disrespect for older people. That includes simple things that many hon. Members have mentioned, such as respecting privacy, helping people to use the bathroom, addressing people in the way that they prefer, listening to people, helping people to eat food if necessary, and ensuring that food is placed where it can be reached. All those small things can make a huge difference to an older person who is staying in hospital.

The hon. Member for Newbury and his Front-Bench colleague, the hon. Member for Guildford, mentioned nutrition. We had a long discussion about that in the Health and Social Care Bill Committee. I wish to correct the hon. Gentleman: the issue was not that the Government were not interested in doing anything on nutrition, as he implied. As my right hon. Friend the Member for Oxford, East (Mr. Smith) made clear, we are doing a lot in relation to nutrition and nutritional standards are improving all the time, although they are improving more quickly in some hospitals than in others.

The Government resisted an amendment tabled by the hon. Gentleman's party to include a requirement in the Bill for nutrition to be part of the new system that the Healthcare Commission will police, alongside health care-associated infections, which are fatal in many cases, as he rightly outlined. However, we have made it clear—we are consulting on this—that, under the new auspices of the Care Quality Commission, nutrition and nutritional quality should be part of the registration standards. Therefore, in extremis, if a hospital was not providing adequate nutrition or adequately helping patients with eating and feeding, it could lose its registration and therefore its licence to operate.

We also had a long debate on the issue of people who come into and go out of hospital suffering from malnutrition. If the hon. Gentleman is interested in the matter, he may want to check the record. Without going over the matter in great detail, one has to be careful about taking the statistics at face value. If someone goes into hospital with an underlying malnutritional problem, that will often not be the first episode for which they are treated, so they will be registered as being treated for something else apart from malnutrition. Only after they have been in hospital for a while and when the initial superficial condition for which they are being treated or operated on is dealt with will malnutrition be registered as an episode. That can often be the last episode, which is why, when one considers the stark figures, it looks as if more people leave hospital malnourished than enter hospital malnourished. That is not the case, and it is important that we bear that in mind when we make such claims.

On the dignity campaign, we now have a network of more than 1,800 dignity champions who are out in the community, improving dignity in their local areas, putting dignity on the local agenda and tackling bad practice when they see it. They are unpaid volunteers who are often managers, councillors, health and social care staff and ordinary members of the public. They are making a difference.

As *Nursing Times* has pointed out, the number of cases of abuse of older people coming before the nursing regulator has halved in the last year alone. In addition to the dignity champions, to whom I have already referred, thousands of people in care homes and hospices have benefited from the—

Mr. Eric Martlew (in the Chair): Order. We must move on to the next debate.

BBC World News

12.30 pm

Mr. John Grogan (Selby) (Lab): It gives me great pleasure to introduce this short debate on the future of BBC World News. In our roles as Members of Parliament or Ministers, occasionally we have the great privilege of going abroad to represent Parliament or the Government. For example, I note from yesterday's press conference involving the press officers to my right hon. Friend the Prime Minister that my hon. Friend the Minister for Sport is, quite rightly, going to the European cup final tomorrow in Moscow, accompanied by my right hon. Friend the Secretary of State for Culture, Media and Sport. The press spokesman for the Prime Minister said that that would be the only occasion on which the Secretary of State, who is an Everton supporter, would ever get to such a European final. The Minister for Sport, as well as being a Bradford City supporter, is a Manchester United supporter, so he is in a happier position.

I am preparing for my sixth visit to Mongolia in my role as chair of the all-party group on Mongolia. I will be representing Parliament and the all-party group. Why do I mention that? I do so because as MPs or Ministers, we find ourselves in hotel rooms around the world, and what do people do when they go into a hotel room for the first time? I stress that I am talking about when they are on official business. They might look at the view. They might look at how big the bathroom is or see how comfortable the bed is. They might even be tempted to look at what is in the mini-bar. However, when I go into a hotel room abroad, I look straight away at the list of channels on the TV. If I am in a region of the world for some days, it is with great relief that I see that there is not only CNN on the news channels but BBC World News and that there will not just be an American perspective while I am there.

BBC World News is increasingly successful at getting its coverage into hotel rooms. It is in 1.3 million hotel rooms around the world, which represents a 25 per cent. increase over the past two years. In China, a very important market, BBC World News is in 250,000 hotel rooms—a 40 per cent. increase in the past two years. BBC World News is now available in 281 million homes around the world and 1.3 million hotel rooms, as I said, and on 48 cruise ships, 37 airlines and 29 mobile phone platforms. With 76 million viewers a week, it is the most watched BBC television channel.

I have initiated the debate for several reasons: first, to consider the financial model of BBC World News, which is a success; secondly, to consider the quality of programming; and thirdly, to consider the future of BBC World News. It is an example of what I understand is commonly known in diplomatic circles these days as soft power. The British Council, the BBC World Service on the radio and online and BBC World News represent a great influence for our nation among key decision makers. I would put the BBC on a level with other things that Britain is known for—premier league football and popular music from the Beatles onwards. The BBC stands in that trinity of things with which Britain is seen to make its mark in the world.

However, BBC World News, in comparison with the World Service, has not been examined sufficiently in the House. The World Service is often praised. World leaders such as President Gorbachev and President Mandela have said how much they were influenced by the World Service. However, BBC World News is now becoming a symbol of modernity, and I shall recount two stories of my own to illustrate that. Once when I was in Syria on parliamentary business, I went to a local bar, and two things were noticeable about that bar. One was that people were playing snooker in the corner. The second was that on the television was BBC World News. Just as in Britain a bar would have Sky Sports News on the TV to show how fashionable it was, there was BBC World News on a TV in the middle of Damascus. With that and the snooker, the pub was clearly making a statement that it was looking outwards to the world.

Equally, I was in Belgrade and went to see representatives of the one political party that accepts the independence of Kosovo, which is called the Liberal Democrats. Again, to show how modern they were, they had a picture of our former Prime Minister, Tony Blair, on the wall, and in the corner, very ostentatiously, was BBC World News on the TV. That was an unspoken statement on their part of modernity and contact with the world outside.

BBC World News competes in a fierce market, and its financial model is successful. It shows that a public service can be enterprising, make money and act in a very entrepreneurial way, because BBC World News, unlike the World Service, is not subsidised by one penny of taxpayers' money. It started in 1991 as BBC World Service Television. In 1995, the right hon. Member for Charnwood (Mr. Dorrell), when he was Secretary of State for National Heritage, gave it permission to operate under the name BBC World, which has recently been changed to BBC World News. However, the financial model whereby no licence fee payers' money goes towards it has continued throughout that period.

We can compare BBC World News with the French news channel, France 24, which was launched in 2006. *The Independent* reported at the time that France 24 was to take on "'le rosbif' TV", which was BBC World News. The French channel has a very heavy taxpayers' subsidy. The French Government allocated €100 million for the launch of the project, and its annual budget is €80 million, most of which comes, I understand, from the French state.

Another competitor of BBC World News, al-Jazeera, received a start-up grant of $150 million from the Emir of Qatar. He aimed to make it self-sufficient through advertising by 2001. When that failed to occur, the Emir agreed to continue subsidising it on a year-to-year basis, with $30 million having been given in the last recorded year. Equally, NHK in Japan is launching an international news service that is heavily subsidised.

It is therefore a success story that BBC World News is on target to break even in 2010-11. That would be a remarkable achievement. Advertising sales are up by 20 per cent. per annum over the past six years. Over the past five years, BBC World News has doubled its total revenue and halved the deficit. To cover the deficit, BBC World News takes out loans, but it is now within sight of being able to break even. It is worthy of note and some celebration that that has been achieved.

The quality of programming has significantly increased in recent years. BBC World News produces 26-minute bulletins on the hour, pretty well every hour. It has more magazine programmes, such as "World News Today", transmitted three times during the day. It has big-name

BBC presenters such as George Alagiah and Zeinab Badawi, and its popularity is spreading in America. In the aftermath of the Iraq war, it is possible that people in America are increasingly looking for more balanced news, and that has given the BBC its first chance to get a foothold, with BBC America and BBC World News, in the States. Matt Frei presents BBC World News America, which is available on BBC News 24 as well. That has been a big breakthrough. There are programmes such as "Have Your Say", a weekly programme that allows viewers to share their thoughts and questions with guests. That is also on BBC World Service radio. Other programmes such as the "Doha Debates" come from the middle east. The "Doha Debates" are done in Doha in Qatar; the Emir's Qatar Foundation provides some of the money, but the programmes maintain the BBC's news values of unbiased coverage. Those debates, broadcast on BBC World News, cover many controversial issues in a format that would not normally occur in the middle east. For example, the subject of a recent debate was "This House believes that the Sunni Shi'a conflict is damaging Islam's reputation as a religion of peace". The subject was fiercely debated, and the programme was transmitted around the world.

BBC World News also broadcasts a series of world debates. Last weekend, it considered the role of business and how accountable it is. Again, the debate confronted key issues such as the future of the planet, and well-known guests gave their views. Because of the BBC's power and reputation, it attracted guests who would possibly not be attracted by other formats.

The programming has definitely improved. The eternal dilemma of BBC World News is that it is a world news channel; the question is how much should it reflect what is happening in Britain? The big criticism of CNN is that it is biased and focuses too much on America. However, there have been some developments in recent months on BBC World News. For example, "Football Focus" can now be seen on BBC World News, as can "Final Score", which means that people who are travelling abroad can at least see the latest football scores; and a compendium of "Newsnight" is broadcast for half an hour each week.

Looking ahead, the managers of BBC World News will have to get that balance right. There is probably a debate, particularly among British citizens who travel around the world, as to whether more should be broadcast about what is happening in Britain, but on the other hand the channel has to keep its reputation as a world news channel to the forefront.

Access to the channel is a key issue. All MPs can watch BBC World News in their offices. If the Minister travels on the Heathrow Express tomorrow en route to the European final in Moscow, he will be able to see a shortened version of BBC World News. If you, Mr. Martlew, find it difficult to sleep tonight, you will be able to watch it because BBC News 24 and BBC World News merge in the early hours—between about 1 am and 4 o'clock. If you watch BBC 4 at about 7 o'clock tonight, you will see exactly the same news for half an hour as can be seen on BBC World News.

BBC World News is about in the United Kingdom, and it can be seen from time to time. However, under the original document that allowed BBC World News to be broadcast, it is not officially available in the UK. One can direct a satellite at the Astra 1, Hotbird or Astra 4 satellites and pick it up. It is not illegal and it can be done, but the BBC is constrained from advertising the service.

Will the Minister say whether, under the new charter, it will be a decision for the Department for Culture, Media and Sport, as it was in the past; or can the BBC Trust decide to allow a wider audience in the UK to have sight of BBC World News? My understanding is that if the BBC management wanted to put a proposal to the BBC Trust it could do so; however, the proposal would have to be judged on whether it would have an adverse commercial impact on other broadcasters of world news broadcasting in the UK, and various other factors. Is it a decision for Government or for the BBC Trust?

One of the principal reasons for this debate was my wish to clarify the matter. There was a time when the BBC World Service radio service was not available in the United Kingdom. It then became available in the middle of the night, when Radio 4 was not broadcasting, and insomniacs could listen to it. Then, very sensibly, a couple of years ago came the expansion of digital TV and so on, and one can now listen happily to the World Service.

My central contention is that if one can listen to the World Service, is there a substantive reason why one should not be able to view BBC World News? Why should it not be available on platforms like Freesat? After all, it is part of the BBC; it is something of which we should be proud. It gives a more international flavour to the news. Its wider availability in Britain would not seriously damage other international broadcasters such as al-Jazeera, Sky News and so on. It would provide a little more competition in the market, and a little more choice for viewers.

12.45 pm

The Parliamentary Under-Secretary of State for Culture, Media and Sport (Mr. Gerry Sutcliffe): Good afternoon, Mr. Martlew. I start by congratulating my hon. Friend the Member for Selby (Mr. Grogan) on securing this debate. I confirm that I shall be travelling on the Heathrow Express tomorrow morning, and I shall watch BBC World News, as I regularly do. I shall be going to Moscow to support Manchester United; I hope that the game is without incident and that everyone enjoys a successful time in Moscow watching British football.

My hon. Friend is a hero. Not only is he a renowned Bradford City supporter and a hero in Selby, but he is a hero in Mongolia. He has visited Mongolia on a number of occasions, and I know that he is held in high esteem there. He is also a champion of other causes about which people care passionately—not least as chairman of the all-party beer group. Indeed, his interest in broadcasting is well known—not only on such issues as BBC World News but television issues in general, not least the listing of sporting events on terrestrial TV.

I am grateful to my hon. Friend for taking such a positive outlook about BBC World News. I confirm much of what he said about the channel, which was known as BBC World until last month. It is a commercial channel, funded through subscription and advertising. It broadcasts international news, sport, weather, business, current affairs and documentary programmes in English to more than 20 countries and territories. It has a total

[Mr. Gerry Sutcliffe]

distribution of 276 million households worldwide, including some who watch the channel part-time—for example, some bulletins are available on public service broadcast stations in the United States.

As my hon. Friend said, 159 million households are able to view the channel 24/7; that figure increased by 14 per cent. over the last two years and by 50 per cent. over the last five years. The channel is available in nearly 1.6 million hotels rooms worldwide—an increase of 25 per cent. over the last two years. A major growth area is China. BBC World News is available in nearly 250,000 hotel rooms there, an increase of more than 40 per cent. over the last two years. As my hon. Friend said, the channel is available also on 57 cruise ships, 42 airlines and 34 mobile phone platforms.

BBC World News has a weekly audience of 78 million people. It is the BBC's most watched television channel. Its weekly audience has grown by 20 per cent. over the last two years. Based on research surveys regularly conducted in the key European and Asia-Pacific markets, its weekly audience has grown over the last five years by 50 per cent. in Europe and by 25 per cent. in the Asia-Pacific market. As my hon. Friend said, a media brand value survey published in April and conducted on three continents revealed that it had high trust and influence among some of the world's most influential business professionals. Respondents placed BBC World News ahead of competitors Bloomberg, CNBC Europe and CNN in the brand value categories of trust and influence. That is clearly impressive.

As my hon. Friend said, BBC World News is a loss-making organisation, but its financial position is improving. Over the last four years it has halved its losses, and over the last five years it has tripled its advertising revenues and doubled its total revenue. As my hon. Friend said, it receives no public funding or subsidy from the licence fee.

The House will doubtless be aware that the BBC has for many years been allowed to operate commercial services, which generate income and return value to licence fee payers, thereby reducing pressure on the licence fee. The firm conclusion of the BBC charter review, backed up by consultation and research, was that it is right to maintain that principle. The BBC should seek to maximise commercial revenue in appropriate areas and reinvest it in programming and talent to the benefit of licence fee payers. BBC commercial activity must be based on four principles. First, the activity must fit the BBC's public purposes and, secondly, display commercial efficiency—in the case of BBC World, that assessment must be made against the financial targets set in the business plan that was agreed by previous BBC governors. Thirdly, the BBC brand must be protected and, fourthly, market distortion must be avoided.

BBC World News is owned and operated by BBC World Ltd, which is a member of the BBC's commercial group of companies. Under the terms of the BBC royal charter and its agreement with the Government, the BBC executive board is responsible for overseeing the activities of the BBC's commercial arm. The BBC Trust is responsible for setting the rules that relate to the approval of changes to the BBC's commercial services and it must hold the executive board to account for ensuring that commercial services comply with those rules.

The trust is responsible for holding the executive to account for complying with the criteria for commercial services. Parts of the assessment may well go against the individual criteria objectively and quantifiably, but the overall decision is inevitably a matter of judgment. The trust needs to assure itself that systems are in place to cover the interpretation and application of the criteria. For example, when assessing whether individual magazine titles fit the BBC's public purposes, the trust might consider the extent to which editorial content aligns with a programme's output. In assessing whether an activity displays commercial efficiency, the trust will need to consider whether better value for money could be obtained by selling individual commercial services or by closing them down.

The trust requires the executive to demonstrate how a particular service delivers the best possible return for the licence fee payer with reference to comparable operators in the individual market. It is the trust's responsibility to challenge the targets set by the executive. The latter is required to submit a full and open assessment of the performance of the commercial services, including a statement of compliance to the four criteria.

It is a fundamental principle—it is written into the agreement—that there should be no cross-subsidy from the BBC's public services to its commercial activities. In other words, commercial services must not be underwritten by the licence fee payer. The trust is responsible for ensuring that appropriate safeguards are in place, including fully separate accounts and clear terms on which transactions are conducted between public services and commercial activities.

My hon. Friend asked why BBC World News does not broadcast in the UK in areas other than those he mentioned. The reason arises from the terms of the original approval for the services granted in 1994, as he said, by the previous Government. Under those terms, the BBC was required to operate the service on the basis that it was for reception in mainland Europe and not the UK. As I understand it, that was to alleviate concerns about the competitive effects of a commercial channel on domestic channels. As I said, under the BBC charter and agreement, responsibility for approval of, and changes to, the service now rests ultimately with the BBC Trust. I understand that when it approved the service, the trust wanted to preserve the terms of the original approval, meaning that the service cannot be broadcast in the UK. I hope that that answers his question.

Broadcasting a service to the UK would now amount to a change to the BBC's commercial services. That would require approval because it would be a change to the strategy for the commercial services set by BBC Commercial Holdings Ltd and the executive board. Any change would also be subject to approval by the trust under the requirements of the commercial services protocol, which requires trust approval for changes that fall outside the strategy for commercial services approved by the trust. I understand that the BBC has no plans to propose that the service is broadcast in the UK and, under the terms of the charter and agreement, there is no provision for the Government to intervene. However, my hon. Friend has raised the matter in the debate and I am sure that the BBC will hear of his remarks. I am sure that he will continue to press for changes in his usual combative manner to ensure that his voice is heard.

I was interested to hear my hon. Friend talk about the many visits that he rightly makes on behalf of his constituents and the many bodies in the House to which he belongs. However, he is perhaps limited if all he does is look at the TV screens when he stays in hotels or, indeed, visits the bars of the world. I know that he will continue to put forward the positive aspects of the BBC. He has made some good points in the debate and I hope that it listens to what he has to say.

Strategic Framework (FCO)

12.55 pm

Mr. Greg Hands (Hammersmith and Fulham) (Con): I am delighted to have secured this debate and to serve under your chairmanship for what I believe is the first time, Mr. Martlew.

I do not intend to do the Minister's job, but I thought it would be helpful to outline exactly what we are talking about, because I imagine that various documents are called "Strategic Framework for the Foreign and Commonwealth Office". I wish to talk about the framework launched by the Foreign Secretary in a written ministerial statement on 23 January. It has since been published on the Foreign and Commonwealth Office website and informs its departmental report. I believe that it took effect on 1 April.

The written statement is of great interest—it is right that the Foreign Office reviews its overall strategic direction, priorities and so on from time to time. I strongly applaud various aspects of the framework, including counter-terrorism, counter-proliferation, climate change and conflict zones such as Afghanistan. To digress slightly, the Foreign Office has done particularly well on counter-terrorism in the past six years—in many ways, it sets global standards. I saw for myself in Kano, Nigeria, some of the helpful work that it does to match British Muslims with Muslims in other countries to exchange best practice on community cohesion and the softer counter-terrorism work.

On the set of goals in the strategic framework, I regret that the promotion of democracy has been transferred to the Department for International Development. I think that it more properly belongs with the FCO, but adding goals and objectives to the strategic framework is not the main purpose of my remarks; rather, they are less about what is in the document than what is not, and the resources that the Foreign Office has or does not have to meet the objectives of the framework—the issue is more the Foreign Office's capacity and infrastructure to deliver the framework.

The FCO's overall budget is projected to be £1.7 billion by 2010-11, which is not an awful lot. It is significant, but compared with the £2.7 billion of extra borrowing announced last week, it is not that great an amount. We can also compare it with the newly-nationalised Northern Rock bank, which has more than £100 billion in assets. Overall, we get good value for money from the £1.7 billion given to the FCO, but it represents a reduction in the budget. The Foreign Affairs Committee calls it

> "an average real annual reduction of 0.2 per cent."

It also says in its annual report published on 19 November 2007 that the amount

> "compares poorly to the settlements of other departments",

that it

> "risks jeopardising the FCO's important work"

and that

> "if the FCO's settlement is compared against its expenditure plans for 2007-08 as set out in Public Expenditure Statistical Analyses, we calculate the change in budget as an average real reduction to be…5.1 per cent. per annum".

I have some doubts about whether the strategic framework document is deliverable on such a budget. Doubtless the FCO will manage—it always has—but overall

[Mr. Greg Hands]

Government expenditure is riddled with waste and there is not much on the FCO's bones to take off, as it were, if we wish to achieve the overall goals.

I want shortly to compare our budget with the budgets of some of our European allies, but the contrast with what the United States is doing with its State Department budget is particularly striking. Having perhaps learned from the period 2001-04, the US is beefing up its soft diplomatic power quite considerably. On 26 November 2007, the US Defence Secretary, Robert Gates said:

> "What is clear to me is that there is a need for a dramatic increase in spending on the civilian instruments of national security—diplomacy, strategic communications, foreign assistance, civic action, and economic reconstruction and development".

In 2006, when launching the transformational diplomacy initiative, the Secretary of State, Condoleezza Rice, talked about the need for more diplomats to be sent to trouble hotspots, creating regional public diplomacy centres and small, localised posts outside foreign capitals, and training diplomats in new skills.

In the State Department's budget for the financial year that has just finished, $124.8 million was allocated to transformational diplomacy. That included $40 million for the geographical repositioning of jobs and about $36 million for language training, public diplomacy, technological training and so on. That $125 million was up from $103 million the previous year. Between 2007 and 2008, the United States increased its overall foreign affairs spending by $6 billion. In terms of sheer numbers, therefore, our budget is not only contracting in real terms, but, unfortunately, going in the opposite direction to that of our leading ally and those of some of our European allies.

The change in the number of our embassies and consulates over the past 10 years has been particularly stark. Since May 1997, the Government have closed eight embassies, six high commissions and 18 consulates—that is 32 closures in the past 11 years, and two more high commissions will close this year. To be fair, some new outposts have opened in that time, but only 13, most of which have been in new countries, such as Montenegro, where an embassy had obviously become a necessity. Overall, however, there has been a significant decline in the number of Foreign and Commonwealth Office outposts abroad.

I find it particularly striking that we have less presence across the world than other European countries of comparable size. In Latin America, for example, we have four fewer outposts than France and two fewer than Germany. Strikingly, we are directly represented in fewer UN countries than France, Germany or Italy. In Africa, Lord Malloch-Brown was challenged over why we had no representation in 23 of the 53 African states. He conceded the point, but rather incongruously said that the Government were

> "trying to grow our diplomatic footprint in Africa".

I question how we can do that when the number of outposts is rapidly contracting.

On 8 November 2006, Lord Hannay told the Foreign Affairs Committee:

> "When I was doing the job…as ambassador to the UN, the world had an inconvenient habit of finding itself in the middle of crises in places where Britain did not have embassies: Kigali in Rwanda, Haiti, Somalia and Afghanistan. Your capacity to operate effectively was cut by a large amount by not having an independent, objective flow of information coming in."

Today, we have no representation on the ground in 50 to 60 states. That includes obvious places such as San Marino and Liechtenstein, where nobody would argue that Britain should be represented. However, it also includes serious trouble spots, such as Chad, Equatorial Guinea, Kyrgyzstan and Somalia. Our diplomatic footprint has therefore been dangerously shrinking, contrary to assurances given in Parliament.

The number of diplomats has also been declining, and that decline is projected to increase. As many people know, at various times the Foreign Office has too many people in a particular coterie to fill certain positions, because of its pyramid structure. I believe that currently it has a lot of people in their early, mid and later forties. Given the number of diplomats that the Foreign Office projects it will shed over the coming years, however, the situation will become very dangerous, particularly in the lower ranks. The Foreign Office recently announced that it would cut the number of diplomats from 6,000 to 5,400 in the next five years, but such people are vital to our efforts. On 8 November 2006, Sir Jeremy Greenstock, also a former ambassador to the United Nations, told the Foreign Affairs Committee:

> "We are finding that the size of post, the spread of the Foreign Office's work, the capacity to construct relationships and to negotiate, the experience gained by a slimmer number each year of men and women in important but more junior roles in embassies abroad because numbers have been cut is leading to a progressive decline in the capacity of the Foreign Office to cover every aspect of diplomacy."

We are, therefore, looking at not only a reduction in the number of postings, but a significant reduction in the number of those who are posted. Again, that leads me to doubt whether the strategic framework will be realised.

I want to discuss the specific issue of the Foreign and Commonwealth Office's language school, which is earmarked for closure. I am not sure whether the closure has already taken place or is about to take place, but it seems that it will go ahead. The closure will save only £1.5 million a year as part of what is described as the "new business model". The number of diplomats in the FCO who receive language training has been in decline for some time—that is not a new phenomenon. Figures from the Foreign Affairs Committee show that 405 people received language training in 2005-06 and that that fell to 252 in the 2007 financial year. The language school is, however, a crown jewel, which it might be difficult, if not impossible, to recreate in future years.

Of course, languages can be learned elsewhere, and no one would deny that there is no point the Foreign Office setting up a whole infrastructure for small and minority languages where that expertise exists, such as in the School of Oriental and African Studies or the School of Slavonic and East European Studies. While I was at university, I attended Czech language classes that were part-funded by the Foreign Office, and I want to use my experience to illustrate the importance and utility of learning minority languages, which have turned out to be rather useful in ways that one could not have predicted 20 years ago.

I want to use a practical example and to name one of our diplomats. I have not spoken to him about the debate and I have not had any contact with him since I met him in November. However, he is a good example of somebody who has used language training to augment and improve our diplomatic efforts on the ground.

I have in mind our excellent ambassador in Skopje, in Macedonia, Mr. Andrew Key. As part of its work, the European Scrutiny Committee visited Macedonia in November 2007, and the FCO website says that Mr. Key presented his credentials only at the beginning of September 2007. None the less, he was pretty much the only ambassador from one of the major European countries to have put significant effort into learning Macedonian. He was already fluent in Chinese and had taken out two months to learn Macedonian.

We had a meeting with the Prime Minister of Macedonia, Mr. Nikola Gruevski, and my knowledge of Czech allowed me to understand enough Macedonian to get the gist of what was going on. It was quite clear from the exchanges with the Prime Minister that Mr. Key could speak Macedonian to an extremely good level. The Prime Minister said to me how important that was, and what a message it sent: although the Prime Minister could speak very good English, and most other people whom our ambassador would come across could speak it in their official capacity, it still conveyed a positive impression and gave our ambassador an edge over some of the other people on the ground.

Macedonian is a small language, but Macedonia is an extremely important country at the moment, not least for being next door to Kosovo and being an EU applicant country. It is also a potential trouble spot in its own right. It is important for us that our ambassador can engage fully in his role there. I do not know whether he learned his Macedonian at the Foreign Office language school, and do not want to give that impression if it is not so. I merely use the example to show how important the knowledge of languages—even obscure minority languages—can be for our efforts on the ground. The language school decision will obviously save a little money, but over a longer period it will prove a false economy. Greater savings could be made elsewhere in Government.

I want to deal briefly with two or three other matters, starting with the BBC World Service and the economies being driven through in the Russian language service. The eastern European services were closed a year or two ago, which probably made sense. It did not seem to make much sense still to broadcast in Polish and Czech when those countries were pretty much fully integrated members of the EU. However, many of the cuts in the Russian language service are disturbing. The reliance placed on local providers—especially on shortwave networks that have since been closed down by the Russian Government—is a disturbing phenomenon.

The second topic I want to mention is Commonwealth scholarships, which are featured in the annual departmental report. I understand that they have been greatly reduced or eliminated. I mentioned earlier that in Nigeria I met two or three people who had such scholarships and that it struck me that the value for money was extremely good.

The third issue, which is very important and which I am surprised has led to budget problems, is increased security in several of our consulates and embassies. The Istanbul consulate bombing was in 2002 and I know for a fact that in a number of our embassies and consulates, such as in north Africa and the middle east, it led to a serious and understandable review of security. The embassy in Algiers, for example, is undergoing, or is about to undergo, an expensive reconstruction project. That seems inevitable and right, but I am disturbed to hear that, in a general sense, some of the budget for security improvements and changes that was already agreed has been cut out by the Treasury.

An Opposition politician may say that spending should not be cut on this, that or the other, but where could savings be made? The Foreign Office could make significant savings by looking at one of its biggest projects: the FCO website. Everyone recognises the importance of a good, capable website for the FCO, but I doubt whether it will replace highly trained staff on the ground and fixed facilities. The FCO is not like other Departments in the matter of trying to find economies. It strikes me that the money being poured into the development of what must be one of the world's most expensive websites could be better deployed.

In a parliamentary answer to my hon. Friend the Member for Eddisbury (Mr. O'Brien) on 25 April, the Minister for Europe called the website change an "upgrade", with an

> "initial cost of £9.7 million".

That is just for one website. Admittedly, it is a portal serving the whole FCO globally, with all our embassies, consulates, high commissions and so on being run out of the same website, but as well as that initial cost of £9.7 million, we were told that

> "the project is on target to cost £19.2 million over five years".

We were also told:

> "The web is vital for the delivery of the FCO's Departmental Strategic Objectives." —[*Official Report*, 25 April 2008; Vol. 474, c. 2321W.]

I agree with that, but the amount being poured into the website—almost £20 million, which is far more than has been spent on the language school—is questionable. I am interested to hear the Minister's defence of spending that enormous sum on one website.

I disagree not so much about the Foreign Office's strategic framework as about how it can be achieved, and about some of the directions being taken by the FCO. I believe strongly that the FCO will need a growing number of experienced and highly trained diplomats on the ground—skilled in languages, technology, commercial and other important skills—in as many key places as resources allow. Ironically, the United States and some of our European allies are showing the way forward in that respect, and we seem to be going in the wrong direction.

I look forward to the Minister's response to the points that I have made. It seems to me that we are asking more and more of the FCO and giving it in return fewer and fewer resources to achieve it.

1.16 pm

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Meg Munn): I congratulate the hon. Member for Hammersmith and Fulham (Mr. Hands) on securing this debate, which gives us an opportunity to highlight the important topic of how the Foreign and Commonwealth Office can best promote UK interests internationally. Although the hon. Gentleman's title for the debate should perhaps have referred to the

[Meg Munn]

budget, rather than the strategic framework, I shall try my best to answer the points he made.

As globalisation proceeds and speeds up, the barriers between domestic and international affairs are breaking down. Almost every area of domestic policy now has important international dimensions. The role of the FCO has to change in response to those changing circumstances, to ensure that it continues to deliver for the UK. We keep the role and objectives of the FCO under regular review and, as the hon. Gentleman knows, the latest such review was announced by my right hon. Friend the Foreign Secretary on 23 January. I stress that it was not an efficiency exercise, but was carried out to provide greater clarity about the purpose of the Department, and to focus our resources where they can achieve the greatest positive impact for the UK.

The new strategy identifies the three main roles for the Foreign Office: providing a flexible global network serving the Government as a whole; delivering essential services to the British public and business; and shaping and delivering the Government's foreign policy. The new strategic framework will replace the 10 strategic priorities set out in the Foreign Office's 2006 White Paper. That is in line with the view expressed by the Foreign Affairs Committee, among others, that

"ten strategic priorities is too many"

and that they should be

"simplified and reduced in number".

The conclusions of the latest review were the result of a dialogue which took place externally with key stakeholders and on the FCO's website; across Government, through discussions with other Departments; and internally, through contributions from staff across the world. The new strategic framework has been welcomed for its clarity by stakeholders and staff. The new strategy explicitly recognises for the first time the importance of the Foreign Office's global network. We provide that network for the whole of the British Government, giving a platform for achieving the UK's international objectives and for serving British people and businesses.

The global network remains vital and we continue to review it to ensure that resources are deployed in line with priorities and that they provide the best possible value for money. That is where the hon. Gentleman is plain wrong. Since 1997, the overall number of Foreign Office posts around the world has increased, from 242 to a total of 261 today. That includes three more embassies than there were in 1997.

The hon. Gentleman has misunderstood the strategic framework. In no way have we hived off the promotion of democracy to the Department for International Development or anybody else. It continues to be mainstream Foreign Office work, just like a range of other issues, including human rights. The Foreign Office regularly discusses such matters with Governments overseas, as do Foreign Office Ministers with their counterparts.

The new strategy recognises the importance of the essential services that we provide to the British people and British business. Our consular services will be sustained and our dedicated staff will continue to provide invaluable assistance around the world to Britons living, working and travelling abroad. Incidentally, the FCO website is a key platform for that work. Not only can people access information about the FCO there, but our new service, Locate, which I have launched in the past few days, enables people to register where in the world they will be. It has already had benefits in identifying where people are in crisis situations, such as the China earthquake.

Mr. Hands: The United States has had that function for US citizens abroad for at least the past five years. My main point about the website was not whether one is needed, but its extreme cost. How does the Minister justify a cost of almost £20 million for a website?

Meg Munn: I am talking about the whole range of our work. I merely point out to the hon. Gentleman that the website is an important part of everything else that we do.

We will continue to help British business and the UK economy through UK Trade and Investment. In addition, the Foreign Office will continue to support Britain's migration objectives through our own work and in co-operation with the UK Border Agency.

To help to focus the Department's policy efforts, the new strategic framework identified four policy goals where we can make the most difference: countering terrorism and proliferation, preventing and resolving conflict, promoting a low-carbon, high-growth global economy and developing effective international institutions, especially the UN and EU. As the new strategic framework is implemented, resources are being reallocated to the new priorities. We must ensure that our limited resources are deployed where they can have the greatest impact, including the new resources provided under the comprehensive spending review.

Contrary to what the hon. Gentleman suggested, the Foreign Office's budget will increase from £1.6 billion in 2007-08 to £1.7 billion in 2010-11. That will provide substantial increases in resources, particularly for counter-terrorism—I thank him for his kind comments on that—climate change and our work in Afghanistan.

Mr. Hands: Will the Minister give way on the budget?

Meg Munn: May I make a bit more progress? I am conscious of the time. I shall come back to the budget issues.

Funding for counter-proliferation, conflict prevention and international institutions is also set to increase, but by more modest amounts. We are increasing substantially the number of front-line officers in priority countries. About 60 extra policy staff will work on or in south Asia, Afghanistan and Asia Pacific. The number working on or in the middle east will also increase significantly, and more modest increases will occur in Africa, Russia, central Asia and multilateral organisations.

In our work force planning, staff numbers are predicted to decline slightly during that period. We are saving on back office and administrative functions to put resources more precisely into front-line work. At the same time, we have agreed a decrease of diplomatic staff in Europe. It is not that we consider Europe to be less important now; Europe will remain vital for the UK, not least because we live in it. However, we can do the essential work with fewer staff by delivering in a more flexible and targeted manner. Whitehall Departments can now operate more efficiently with fewer staff by taking advantage of modern technology and quicker and easier travel.

Similarly, we are reducing funding for certain policy areas, including three areas for which other Departments will take on more responsibility: sustainable development, science and innovation, and crime and drugs. We will not withdraw from those areas. Our ambassadors will remain heavily engaged where they are of particular importance to the UK, such as in the fights against drugs in Colombia and crime in Jamaica. Our posts overseas will continue to operate as bases where all Departments can locate their own staff and resources to deliver their own priorities. Our ambassadors will continue to offer Departments advice and act locally on their behalf on all the major issues affecting the UK.

Mr. Hands: Can I take the Minister back to the budget for a moment? She lauded what she called a substantial increase in funding for the FCO; I think that she said that its budget would increase from £1.6 billion to £1.7 billion over five years. That is only a 6 per cent. increase over five years, which is way below current and projected rates of inflation. Surely that means that the Select Committee on Foreign Affairs was right to point out the real-terms budget decreases? Does she agree with the Committee? From the evidence that she has just given, she must agree that they are real-terms cuts.

Meg Munn: I said that there was an increase, and I set out the amount. The hon. Gentleman has obviously been sitting there using his calculator, or indeed mental arithmetic, to work that out. We make no apologies for becoming a more efficient and streamlined organisation. I am not sure whether we will get more information from him today about Conservative commitments to spend more money. I am not sure that his Front Bench Members would thank him for that. We are looking at how to work more effectively. I have said that we will reduce administrative posts to put more into the front line. I must correct his figures: the increase will take place over three years, not five. I assure him, as he raised so many points about the financial aspects, that I have not finished with the budget.

Our new priorities are also reflected in the work of our partner agencies. The BBC World Service will launch a new Persian television channel and extend its Arabic language TV broadcasting to 24 hours a day, seven days a week. In addition, the British Council will extend its efforts to build mutual understanding with Muslim societies—the hon. Gentleman praised that work, for which I thank him—particularly among alienated younger populations. With the BBC World Service and the British Council, we are pursuing ambitious efficiency programmes, and I make no apology for that. We are jointly committed to delivering £144 million in efficiency savings over the next three years through a wide range of projects.

The process is carefully managed. We have defined our strategy goals and we are aligning our resources with them over time, so that the sorts of problem that the hon. Gentleman wrongly suggested would occur will not occur. The decision on the language centre predates the strategic framework. It was undertaken under the previous Foreign Secretary. Having considered it, FCO Services concluded in 2006 that its language training services cost between 15 and 40 per cent. more than those offered by comparable providers. It is important that we look at the matter sensibly and put our resources where they are needed, ensuring that we are using the money in the best way. I should have thought that the hon. Gentleman would welcome that.

On scholarships and fellowships, we have consolidated our scholarship programmes and are focusing on the Chevening and Marshall schemes, the purpose of which is to build strong relations with the international leaders of the future. Again, I make no apologies for considering carefully where we want to have the most impact and putting our resources there.

As my right hon. Friend the Foreign Secretary explained in his statement to the House:

> "every organisation, including every Government Department, should regularly reassess its own aims and priorities. Successful organisations stay focused on the biggest issues on which they can make the biggest difference, and they regularly readjust that focus as circumstances and priorities change."—[*Official Report*, 23 January 2008; Vol. 470, c. 54WS.]

The Foreign Office's new strategic framework will do that. It will refocus our efforts, reprioritise our resources and refresh our strategic approach. The four new policy goals that emerged from the review present a clear and concise picture of what we are trying to achieve, and associated changes to the resourcing of our network overseas indicate how we are going to achieve it.

Although we have a new strategic focus, we are determined to preserve the strengths of the Foreign Office and its staff: world-class diplomatic skills, understanding of other countries, and a sense of public service. I assure the hon. Gentleman that the combination of those talents with a sharper set of priorities will ensure that the FCO can better serve the UK's interests internationally.

North East Ambulance Service

1.30 pm

Dr. Ashok Kumar (Middlesbrough, South and East Cleveland) (Lab): I have been trying to secure this debate for several months, and am very happy that I have now been able to do so. I would like to put on the record my thanks to Mr. Speaker for giving me the opportunity to raise this very important issue. I am also very pleased to see the Minister in her place. It will be the first time since she was appointed as a Minister that she will have responded to one of my debates. I praise her for all the good work that she is doing in the Department of Health.

Right hon. and hon. Members representing constituencies in Tees valley, some of whom are present, support the cause that I want to articulate today. I also have the strong support of all local councils in the Tees valley area.

I wish to speak about plans by the North East Ambulance Service NHS Trust to reconfigure its ambulance control rooms. The trust covers the whole of the north-east and, in Teesside, includes the whole of the former Cleveland county area. I make no criticism of any of the hard-working staff; my concern is about management proposals to alter the control arrangements. Currently, the NEAS structure has two command and control centres: one in Newcastle, operating out of Bernicia house—the NEAS headquarters in Newcastle business park—and one in Middlesbrough serving as a satellite centre to Newcastle and covering the old Cleveland county council area.

The Middlesbrough centre, which employs 25 staff, is based at Cleveland police headquarters in Coulby Newham, in my constituency. Close links have been developed with the existing Newcastle centre, and the technology is such that the Newcastle centre can act as a back-up for the Middlesbrough centre in call handling and ambulance dispatching. In a sense, therefore, we have an arrangement that functions well, and which meets the current need. However, the demands of the ambulance service are evolving. In particular, over the past few years, there has been an increasing demand on ambulance services, partly as a result of changes to out-of-hours coverage by general practitioners.

In that context, the demands by the Department for all ambulance trusts to install new digital radio communications systems had to be considered by the NEAS, as did the need to plan for heightened civil resilience in light of continuing terrorist threats. Those demands led the NEAS to set up a review of its own control and command facilities. However, I believe that it has come to a conclusion that is potentially damaging to the service provided in Teesside. It started by considering what form of configuration is needed to meet Department of Heath challenges.

On the basis of operation effectiveness, risk and cost, it came to the following conclusions. The first was that a single centre could be operationally effective and cheaply built, but face a high risk of disruption, through a technical breakdown, natural disaster or terrorist attack. The second conclusion was that, although having three or more centres would reduce the risk in such circumstances, the configuration could be confusing in an emergency. It decided, therefore, that having two independent, but linked centres was the option to pursue. It argued that such a configuration would be robust when dealing with risk or attack at one location. The second location could easily increase its level of service through shared software infrastructure. If built correctly, it could physically accommodate staff from the affected centre, which would, I believe, provide an effective service for the benefit of local people and for local hospitals. Looking at those options in the same manner, I would have come to the same conclusion.

That issue having been resolved, the next question was where best to locate the two centres, which is where our views diverge. The NEAS looked at possible locations across the whole region, including the current centres in Newcastle and Coulby Newham in Middlesbrough. It argues that a key factor that it had to consider was the need to conform with the requirements of the Civil Contingencies Act 2004. One requirement is that when planning for control and command resilience, split sites able to assume back-up

> "should ideally not share common utility services",

and

> "be between 15 miles and one hour's journey from the main, or affected, site".

On that basis, and on the ability to redeploy staff, the NEAS decided that its preferred option for two centres would be its control room in Newcastle and a second centre, 10 miles away, at Hebburn on south Tyneside.

I do not disagree that the main Newcastle control room should be one such centre—that is operationally logical—but I question the possible location of the second centre, which, for the following reasons, should be on Teesside. First, we already have dedicated staff at Coulby Newham, and relocating to Tyneside would add up to two hours daily travelling for those living south of Coulby Newham or in areas such as Stokesley, Redcar or east Cleveland, which could reduce operational ability in facilitating staff shift handovers. Secondly, there has been an offer from Cleveland police for the centre to be operated from force premises, which would either be at the existing centre at Ladgate lane or at a newly built facility for any future move. There is little evidence, however, that that offer has been carefully considered.

Thirdly, the close proximity of the two proposed centres poses risks. Both rely on the same utilities for electricity and telephone lines. I gather that most major telephone trunk lines on Tyneside radiate out on a hub and spoke basis from central Newcastle. If a major incident were to happen in Newcastle, therefore, the outlying exchanges serving the Newburn and Hebburn areas could be cut off from each other. Likewise, although I am not certain about the pattern of high voltage distribution in Tyneside, I suspect that the same pattern might be replicated in that utility area. That would not be the case for Teesside, which is in an entirely different trunk route and telephone route, and relies on differing national grid connections.

My single biggest objection, however, is that Teesside has one special characteristic that demands an ambulance control room presence in this sub-region. Teesside is one of the global centres for chemical production with almost all the key global players having plants in the area. It deals with the processing and shipping in and out of millions of tonnes of volatile and highly flammable chemicals every year. It also has two major power stations—one gas fired and one nuclear, the latter of which is in the constituency of the Under-Secretary for Communities and Local Government my hon. Friend the Member for Hartlepool (Mr. Wright). It is probably the one nuclear power station in the UK that lies close to a densely populated area. Teesside also has Europe's deepest mine—the Boulby potash mine, which is in my own constituency.

We have never had a major industrial incident on Teesside, but the raw materials for such an incident are there in quantity. Together with the rest of the UK, Teesside now faces the threat of terrorism. In that context, it is inconceivable that potential terrorists would overlook industrial targets of opportunity. Indeed, at one recent trial, evidence showed references to Teesside on a possible hit list. Given that heightened threat, it is clear to me that traditional joint working of all three emergency services on Teesside needs to be maintained. That must allow for a focused and localised response to all the dangers and challenges that Teesside could face. That approach has been overlooked by the NEAS.

The Cleveland emergency planning officer, Mr. Dennis Hampson, in a report presented to an emergency planning joint committee earlier this month, said that the NEAS proposal

"has the potential to make the Cleveland area less resilient."

He went on to say that it could cause

"a loss of local knowledge of control room staff."

Ms Dari Taylor (Stockton, South) (Lab): On the point of local knowledge, will my hon. Friend accept that, to date, the consultation with users and staff has been abysmal, and that the consultation with the local authority scrutiny committees has been lamentable? I have asked a series of questions about the problems that we would face on Teesside should the move take place, and they have not been answered. My hon. Friend is outlining the dangers that are there and I am saying that the consultation has not been full enough or sensibly carried out. Therefore, if, at the end of this, a decision is taken to move our Teesside ambulance services to Tyneside, we will ask the national health service's reconfiguration panel to reconsider the whole process in the belief that the decision will be changed and the ambulance service will be left on Teesside.

Dr. Kumar: I agree with every word that my hon. Friend has said. In fact, I think that she has been looking over my script because that is exactly what I was going to say. I totally agree with what she said about the consultation. Many staff have said similar things to me.

Mr. Hampson also said that there was

"a need for specialist knowledge of how ambulance accident and emergency crews should respond to chemical and nuclear incidents."

That view has also been echoed by the local council, through the health scrutiny committees and the Cleveland joint emergency planning unit. The overview and scrutiny powers of local councils are crucial in that respect. However diligent or effective the NHS trust is, it is still an appointed trust. Local councils and local councillors are directly elected. Therefore, members serving on the health overview and scrutiny committees reflect the views of their communities. They can refer matters to the Secretary of State on the grounds that the consultation on changes by the NHS trust is flawed or not in the best interests of the public. The Secretary of State can then refer the issue to the independent configuration panel for an overarching reassessment and, if necessary, a full review.

I understand that the NEAS board is meeting on 22 May and that its proposals remain unaltered. It is clear that if the proposal is approved by the board, the matter will be referred to the Secretary of State. I then expect the proposals to be passed as a matter of urgency to the independent configuration panel, which would take on board the views of the other emergency services on Teesside. That would allow us to build an ambulance control service that truly represents the people and the needs of Teesside.

In the 11 years that I have been a Member of Parliament, I have always supported the Government. I have never even abstained on an issue. If the Government go ahead with the proposal, there will be consequences in the future. We are rushing into a zone in which we should not be. I appeal to the Minister to consider my biggest objection to the proposal regarding Teesside and its chemical plants. In the end, the buck will stop with her or the Secretary of State. The Minister knows the area very well, and I appeal to her to take note of what I have said. She knows that I have the support of all Tees valley Members on this issue, and I hope that she will give a positive response.

1.44 pm

The Parliamentary Under-Secretary of State for Health (Ann Keen): I congratulate my hon. Friend the Member for Middlesbrough, South and East Cleveland (Dr. Kumar) on securing this debate, which he has wanted for some time. He has shown an active interest in the organisation of ambulance control rooms and other health issues in the north-east, and I commend the dedication with which he serves the needs of his constituents. The same is true of my hon. Friend the Member for Stockton, South (Ms Taylor) and the Under-Secretary of State for Communities and Local Government, my hon. Friend the Member for Hartlepool (Mr. Wright) who are present today and other hon. Members who were unable to be in the Chamber for this very important debate.

I recognise that there has been considerable public interest in the control-room organisation of the North East Ambulance Service NHS Trust. I welcome the opportunity to respond to those concerns and to try to give some reassurance. I must stress, though, that the decision on the proposals for the location of control rooms to which my hon. Friend referred has not yet been made. I understand that the trust board is due to make the decision at a meeting on 22 May, so it would be inappropriate for me to comment on the specifics of the case at this time. However, I hope that an explanation of Government policy on ambulance provision may address some of my hon. Friend's concerns.

I want to stress that the Department of Health expects all ambulance trusts to ensure that their control rooms are fit for purpose. It is their responsibility to make sure that control rooms have the capacity, capability and resilience to deal with the needs and demands of the local area. I am referring here to the needs and demands that my hon. Friend the Member for Middlesbrough,

[Ann Keen]

South and East Cleveland has raised in the debate. The changes being made in the NEAS should be considered within a much wider programme of improvements in ambulance provision.

In 2005, the Department published an ambulance review, which made a number of recommendations to transform the ambulance service. To support those improvements and following a consultation, the number of ambulance trusts was reduced to 12 broadly to reflect strategic health authority boundaries. As a result of the merger, some trusts needed to streamline and improve their operations. It is right and proper that the decisions about local services are made at a local level, but, in order to support the trusts through this process, the Department of Health commissioned a review of ambulance control rooms to provide it with an overview on a range of control-room issues.

The review concluded that the needs of the English ambulance trusts would probably be best served by adopting a small number of multiple sites—a minimum of two—with each site complying with a range of minimum standards outlined in the report. There was no single recommended operational configuration, but a series of options for trusts to consider. The review made it clear that within overall best practice, it was for the trusts to determine their own control-room organisation. Trusts considering control-room changes need to make their own decisions locally about how to meet the needs of their populations and their own operational challenges.

I have been advised by the trust that the current position for ambulance provision in the north-east is not sustainable for a number of reasons. In the north-east, NHS Direct provides back-up to the ambulance service, which is not the most appropriate solution. In addition, the control room in Middlesbrough can manage only 60 per cent. of 999 calls originating in the Tees area. The proposals that the board is deciding on aim to ensure resilience and business continuity in those areas.

Ms Dari Taylor: Does my hon. Friend accept that Cleveland police has offered greater space to the ambulance service should it require it. Frankly, I do not think that the greater space has been considered.

Ann Keen: I will go on to inform my hon. Friend of some of the progress that has been made in that area.

In identifying proposals for the north-east, the trust drew on the national control room review, but also employed a consultancy to evaluate a number of existing and potential new sites for its control centres. The consultancy provided a set of independent recommendations that were shared with all stakeholders prior to a formal consultation. Five proposals were outlined in the consultation. I understand that the NEAS preferred the option of establishing two independent contact centres. It believed that that would best achieve continuation of service and provide adequate contingency in case of emergency.

I believe, however, that two further proposals have been suggested during the consultation period. One, suggested by Cleveland police, was that the facilities at the control room in Middlesbrough should be extended to make it an independent contact centre. The second was put forward by my hon. Friend the Member for Stockton, North (Frank Cook), who is not in his place. He suggested that the second contact centre be located in Wynyard. I commend Cleveland police and my hon. Friend on their interest and engagement in the matter, and I believe that both options will be considered by the board alongside all the others.

The NEAS has made it clear that it views its proposals as having been drawn from extensive investigations by independent and nationally recognised industry experts in emergency service control rooms. They are intended to achieve the best possible resilience and an uninterruptible emergency service, and to make the most of technological and medical advances.

The role of the Department of Health and the Secretary of State in local reorganisation is rightly limited. If my hon. Friend the Member for Middlesbrough, South and East Cleveland and others still have concerns once the board's decision has been made, I advise them to make every effort to resolve them with the NEAS. Should it be necessary, the second course of redress would be to raise concerns with the local authority's overview and scrutiny committee. If that committee wished to contest the proposals on the basis that the consultation was inadequate or that they were not in the interests of the health service, it could refer the case to the Secretary of State. The Secretary of State would then ask the independent reconfiguration panel to undertake an initial assessment to determine whether a full review was needed.

I have been reassured by the NEAS that it is keen to avoid redundancies. My hon. Friend mentioned the potential loss of not only jobs but expertise, which is vital to the service. It is keen to avoid any such redundancies, regardless of the board's decision about the reorganisation of the control rooms. The trust has been in close contact with the unions, and I am assured that it will hold one-to-one interviews with staff to discuss the options available once a decision is known. I encourage the trust to continue to support its staff through the period of change, particularly while waiting for decisions. Once decisions have been made, I encourage it to acknowledge the knowledge and expertise in the area.

Ms Taylor: I wish to put on record the point that if staff from the Tees are moved to the Tyne, they will be asked to increase their day by at least two hours, without pay. That is a totally unacceptable request.

Ann Keen: I take my hon. Friend's comments seriously, and I shall ask officials to look into that and inform myself and the Minister responsible for the ambulance service. I acknowledge the request that she has made of us.

I recognise that patients and the public feel very strongly about the organisation of ambulance control rooms. As a former nurse who worked in the health service for more than 25 years, I am fully aware of the commitment of our control room staff and ambulance crews and the debt that we owe to such skilled and highly professional people. Understandably, people want to feel secure in the knowledge that the services that they need will be there for them at times of life-threatening emergency.

My hon. Friend the Member for Middlesbrough, South and East Cleveland has outlined the seriousness of what faces us all, including the threat of terrorism, particularly to the chemical plants in the area. My understanding is that no decision has been made about where any future control room would be located. The area is important to all of us—including its football team, Middlesbrough. I would be failing in my duty as the chairman of the all-party group on football if I did not give it a mention. I reassure my hon. Friend that rather than compromise the services there, the Government are committed to making services better, not worse, for patients and ambulance staff at every level.

I note the comments that have been made, and I shall take them back to officials. However, I reinforce my point about the procedure that is open to hon. Members. I hope that the decision to be made by the NEAS board on 22 May will provide a robust ambulance service that meets patients' needs both in my hon. Friend's constituency and across the north-east. They deserve to have that.

Question put and agreed to.

Adjourned accordingly at five minutes to Two o'clock.

Westminster Hall

Wednesday 21 May 2008

[MR. JOE BENTON *in the Chair*]

Maritime and Coastguard Agency (Industrial Relations)

Motion made, and Question proposed, That the sitting be now adjourned.—*[Mr. Bob Blizzard.]*

9.30 am

Mr. Alistair Carmichael (Orkney and Shetland) (LD): I am delighted to have obtained this 90-minute debate, which will centre around a dispute that has been running for some time. It has been one of my frustrations in recent years that it has been difficult to get any discussion at all of industrial relations within the Maritime and Coastguard Agency on the Floor of the House or even on the record.

My frustrations are shared by several right hon. and hon. Members who would have wished to be here today but cannot be for a variety of reasons. I mention in particular the hon. Member for Ynys Môn (Albert Owen), who has taken a long and active interest in the debate but is not able to be here because of a constituency engagement, and my right hon. Friend the Member for Gordon (Malcolm Bruce), who is the Chairman of the International Development Committee, which is sitting at present. He has registered a substantial interest.

Although it is not a declarable interest in the normal sense, for the sake of completeness I should perhaps place on record that, as far as matters of search and rescue are concerned, I am a member of the national council of the Royal National Lifeboat Institution, which works closely with the agency. It is also a matter of some family pride that my father was for many years a member of the auxiliary coastguard, which is now a volunteer coastguard, on Islay. He was an active and leading participant in many rescue operations off Islay and several cliff rescues throughout the 1950s and 1960s. When we speak about the coastguard, we tend to speak about the full-time paid members, and that is who I will rightly focus on today, but it is important to remember the contribution to the operation of the volunteers as well.

John Thurso (Caithness, Sutherland and Easter Ross) (LD): I congratulate my hon. Friend on securing this debate. I apologise that I shall have to leave about 10 minutes before its end. Is not one of the tragedies of this dispute that the volunteer section, which is so incredibly important, is suffering from a complete drop in morale as much as the paid section is, and that a speedy end to the dispute is vital to get the voluntary side back in line?

Mr. Carmichael: My hon. Friend makes that perfectly fair and legitimate point exceptionally well. The damage that is being done by the industrial unrest in the agency significantly affects the paid sector, but I fear that the damage to the cadre of volunteers will be much more significant in the long term. One can resolve difficulties in a paid sector by improving pay and conditions, but very different conditions apply when it comes to motivating a volunteer sector.

I am delighted that there is a good turn-out from all parts of the House today. I know that not everybody will be able to stay for the whole of the debate, but their presence is an indication that the issue is growing in political importance. I hope that the Minister will consider that when he argues the case with the Treasury for the flexibility and resources that might allow resolution of the dispute.

It is frustrating that in many ways the coastguard, which is an emergency service, is the forgotten service. Just about every Member of this House must have signed an early-day motion, tabled a parliamentary question or written to the Minister about the need for a marine Bill. I also feel passionately about that issue, but every protection, designation and law that is known to man, beast and lawyer will have absolutely no impact whatsoever if protection from a day-to-day service on the ground is not in place. When an oil tanker is drifting towards rocks, designations are meaningless. That is when the coastguard is needed.

I note from the Library debate pack that it is more than a year since I first raised this issue on the Floor of the House. If the Minister takes no other message from today's debate, I hope that he will understand that the dispute will not simply go away. There have already been three one-day strikes among the coastguard staff. Morale has plummeted as a consequence and there is an immense feeling of frustration among the operational staff, but, from my contacts with coastguard offices and people who have e-mailed me, and from a recent meeting that I had with Public and Commercial Services Union branch secretaries, I can tell the Minister that there is a greater than ever determination among coastguards to see the dispute through.

Mr. Stephen Crabb (Preseli Pembrokeshire) (Con): The hon. Gentleman mentioned the three days of industrial action. Would he agree that the coastguards who decided to take industrial action did so with extremely heavy hearts? I have letters and e-mails from coastguards in my constituency who say that the decision to withdraw their labour was agonising. It was not one that they entered into lightly.

Mr. Carmichael: It was not a decision that they entered into lightly. In fact, every step in the evolution of this debate has been one that the coastguards have said they do not want to take, that they would take any means available to them to avoid. It is a hallmark of the failure to manage the dispute properly that people who are so highly motivated in their work have been pushed into a position where they feel they have no option but to strike.

Julia Goldsworthy (Falmouth and Camborne) (LD): Would my hon. Friend agree that the danger with the strikes is not only their potential impact on our own coasts but overseas as well? Coastguard stations such as Falmouth in my constituency play a critical role in co-ordinating rescues that could take place anywhere in the world. The impact of the dispute reaches much further than simply our own shores.

Mr. Carmichael: That is an exceptionally fine point. My hon. Friend will be aware that the shipping in and out of the country that passes Falmouth in her constituency involves ships from all over the world. It is an exceptionally busy shipping area. The work of the Falmouth coastguard station is also of particular importance because it has a role in the co-ordination of anti-terror efforts. Those things could all be put at risk by continuing disputes.

I spoke to one coastguard who is proud of the work that he has done on civil contingency planning. That is something else that will be lost as a result of the dispute within the agency. It is clear that the effects of the dispute will reach far beyond the bounds of the agency itself.

David Taylor (North-West Leicestershire) (Lab/Co-op): Will the hon. Gentleman give way?

Mr. Carmichael: Let me just finish this one point, which I have been trying to make for the past two minutes.

There is clearly an emerging view among the staff that one-day strikes are simply not sufficient. That does not mean that they will give up and go away but that, almost inevitably, there will be two, three or four-day strikes, perhaps over a bank holiday weekend. As a result, I have serious concerns because the agency may not be able to provide proper contingency planning for such an eventuality.

David Taylor: The dispute stretches beyond coastal constituencies because all MPs have constituents who visit and use the coast, and it is important that their safety is secure. Does the hon. Gentleman agree that the roots of the dispute go back two years to a comparability study? The unions and management agreed to look at other emergency services and came to a conclusion that the management then cursorily cast aside. People in my constituency would be astonished to learn that what is on offer is a 42-hour week, £12,097 a year, £5.37 an hour—just above the national minimum wage—together with a below-inflation pay offer. No wonder that double whammy has triggered the sort of action and reaction that we have seen and heard so far. The offer is not acceptable.

Mr. Carmichael: The hon. Gentleman is absolutely right, and I shall say more about that later. He has no need to apologise for being part of this debate, although he has a land-locked constituency, because the pattern of sea use these days is no longer confined to coastal and island communities, as would have been the case in previous generations. The sea is increasingly used for leisure, for example, by people who go from land-locked or inland communities to the coast for a day, a week or for weekends, or whatever. That has been a growing sector in sea use in recent years.

Sir Menzies Campbell (North-East Fife) (LD): I am most grateful to my hon. Friend for giving way. I have been trying to visit Fifeness coastguard station in my constituency for some time, but I am told that I can visit only in the presence of a senior civil servant. Quite why that is necessary, I am not sure.

May I underline the point that my hon. Friend has made about recreational use and add to it a point about those constituencies in which the fishing industry is based? The reliance that the fishing industry is able to place on the coastguard system is fundamental to the success of fishing activity. Any departure from the usual high standards and the 365-day availability is a matter of considerable concern to fishermen.

Mr. Carmichael: My right hon. and learned Friend makes a good point. Leisure users of the sea can choose to go to sea, whether coastguard cover is withdrawn or reduced. However, fishermen, especially inshore fishermen, who work within exceptionally tight margins cannot choose because the financial imperative will force them to go out to sea.

I suspect that after this debate there might be a queue of senior civil servants wanting to take my right hon. and learned Friend to the Fifeness station but, if there is not, if I were him I would probably just go anyway.

I am concerned that, if we move to two, three or four-day strikes, the contingency planning will be stretched beyond credibility. The contingency planning for a one-day strike has been described to me by a coastguard manager as relying on string and sticky tape. I say to the Minister that string and sticky tape will not last more than 24 hours. I hope that he will be honest and realistic with the House and the general public about what contingency planning arrangements can seriously and properly be made before a longer strike. I hope that such a prospect will prompt the Government to act before the contingency planning is necessary. There can be no doubt, because it is now on the record, that if something goes wrong in the event of a longer strike as a result of insufficient contingency planning and there is loss of life or environmental damage, nobody can say, "We didn't know. We weren't warned," because they have been warned here today.

It is worth reflecting on how we got into this position. There has been a history of low pay in the coastguard. If we go back far enough, historically, people were coming to the coastguard from the Royal Navy after retirement and, as a result of the substantial pension they brought with them, did not need the same level of pay. However, that is no longer the case and has not been so for many years.

Our coastguard performs a highly technical and highly responsible operation. If right hon. and hon. Members have not been in a coastguard operations room I would encourage them to do so at the first available opportunity. In many ways it is a bit like being on the deck of the starship Enterprise. The coastguard is a highly technical, skilled operation, the development of which has been a deliberate policy on the part of the Government, although we have not always found that easy. The closure of Pentland and Oban coastguard stations was part of a rationalisation process that relied heavily on that technical development. However, we must have people who are well-motivated and resourced to make the technology work.

The situation rumbled on, as the hon. Member for North-West Leicestershire (David Taylor) mentioned, until about 2006, at which point there was a comparability study instituted by the management of the MCA, which instructed KIS Solutions Ltd. That study was never published and its contents and its analysis of the situation are known only to those who were party to the pay negotiations at the time. However, it demonstrated a gap between the coastguards and those working in comparable emergency services. That study was declared by the management at the time as being of no value, but no further specification of that was given and, as a result of that declaration, a below-inflation pay increase was imposed and the longer-term issues were not addressed.

In 2007, a new chief executive was appointed. Many of us hoped that that appointment would mark a new beginning in the negotiations and, for some time, it appeared that that would be so. At the instigation of the chief executive a pay benchmarking analysis was undertaken that was finally agreed on in October 2007. That analysis concluded that a coastguard watch assistant was up to £4,500 per annum behind where they ought to be. No figure was agreed for the coastguard watch officers, because the evidence was, in the management's view—to use their terms—less compelling. Of course, it could be less compelling given the position with regard to the watch assistants. However, there is still plenty of scope for a fairly compelling case to be made.

It is worth putting on the record the figures that we are talking about. A coastguard watch assistant earns between £12,509 and £14,384 a year; a watch officer earns between £14,742 and £18,717 a year; and a coastguard watch manager earns between £19,744 and £25,702 per week—if only! I should, of course, have said "per year". A watch officer and a watch manager routinely take control of major search and rescue co-ordinations. They also make the decision that the time has come to give up the search, which involves saying to the family of the person who is missing, "We are not going to find your loved one. We are giving up the search." Right hon. and hon. Members might ask themselves whether they would be prepared to say that to a grieving family who do not know where their loved one is. Would they be prepared to do that for less than £15,000 a year?

We talk about comparability with the fire, police and ambulance services, but the comparability is not exact; in fact, the situation is even more acute for the coastguard. In respect of fire, ambulance or police operations on the ground, that is the point at which the control room gives up. It is different for the coastguard, where the operations room retains control of what is going on on the ground from beginning to end.

I hope that my framing the subject for debate quite widely is not lost on the Minister. I do not want this debate to be just about the dispute: it has to be about how we have got to this situation and what we are going to do in future, once we have got past the dispute.

Andrew George (St. Ives) (LD): On that point, does my hon. Friend agree that the nub of the issue is that this is not a dispute about annual pay, but about a six-year negotiation on regrading? Does he also agree—without wishing to be rude or disparaging to the Under-Secretary of State who will answer this debate—that a lot of right hon. and hon. Members fear that the dead hand of the Treasury lies behind the reason why the MCA, an agency of the Department, is unable to resolve an unfair arrangement?

Mr. Carmichael: I have no doubt that the resolution to this dispute will ultimately come from the Treasury. Equally, I have no doubt that the Minister has the key role in making the case. The benefit of this debate is that he can go to the Treasury and say that the issue is heating up politically and will not go away, so a solution must be found. In the present set-up, morale is on a downward spiral, and a large element of false economy is entering the equation. We are investing in training for watch officers particularly, only to see them take the training and then take their skills elsewhere where they can obtain much better remuneration.

In his answer to my recent parliamentary question the Minister said that the cost of staff advertising and recruitment had risen from £59,000 in 1998-99 to £252,000 in the year just ended. I have outstanding questions to the Minister about staff retention, but management has told the unions that between 2003 and 2007, 105 coastguard watch assistants left the agency and 51 of them had less than two years' experience.

We must look ahead, and at why operational staff in the agency feel so demoralised and undervalued. The Minister may wish to reflect on the message that is sent to operational coastguard staff when the board of the agency does not include a single person with operational experience as a coastguard. When we have got through the present difficult period, we must take a long, hard look at the coastguard, and why we have got where we are. I welcome this debate as the first step in that process.

9.52 am

Andrew George (St. Ives) (LD): I shall make only a brief speech, to emphasise the point that I made in an intervention. During the six years of the negotiations, three grades—those of watch assistant, watch officer and watch manager—have been most relevant to the dispute. Following last autumn's and this autumn's increase in the national minimum wage, watch assistants will have to have an increase to bring their pay back above the national minimum wage. They undertake important and responsible work in the watch room, but their pay is just at the point of the national minimum wage, despite their having to go through one year of training. Further training is required for watch officers as they move up the scale.

Julia Goldsworthy: Is it not the case that watch officers and watch assistants will be earning less than administrative officers in the same station? I have constituents who have taken a pay cut to move from being an administrative assistant to the watch side and have done a year's training simply to have a more interesting job. Is that not asking too much?

Andrew George: My hon. Friend makes an extremely good point, and she has been assiduous in representing the interests of the Falmouth station, which has an important international role not only in counter-terrorism, but in co-ordination of rescues. It has provided an international co-ordinating role in many other parts of the world, and is an important watch station for the MCA.

The third grade, watch managers, are on the executive officer grade of the civil service pay band and are paid at the same level as an administrative manager, but they go through many years of training to achieve that grade and must satisfy more than 140 technical competencies before they are entitled to take on that role. Without wishing to disparage the skills of administrative managers, those technical competencies take watch managers to a level that clearly has no correlation or comparability with administrative managers.

[Andrew George]

I am greatly concerned about the present position. The evidence is apparent: one only has to look at the required competencies, the stress involved when dealing with extremely distressing situations, to which my hon. Friend the Member for Orkney and Shetland (Mr. Carmichael) referred, and the work that staff must deal with daily, and then consider the grades, pay and rewards that they receive, to recognise that they have an extremely strong case for regrading. The dispute is not about pay; it is about grading.

Joan Walley (Stoke-on-Trent, North) (Lab): Many years ago when I was a shadow Shipping Minister, the coastguard issue was very important. The hon. Gentleman is talking about intelligence in advanced search and rescue. I want to say through him to the Under-Secretary that it is essential to have a proper pay structure that recognises the detailed and courageous work that our coastguard does, not only in coastal areas, but serving constituencies in the centre of the country.

Andrew George: I am sure that the Under-Secretary heard that comment from a Government Member. I am also sure that he appreciates that there is sympathy for and concern about the issue throughout the House. We all want a resolution to what seems to be an intractable problem. I particularly want him to address that intractability.

There have been several comparability studies. Some have been published, and the unions are aware of some of them. Two were produced in December 2006 and September 2007, but the chief executive of the MCA wishes to talk to the unions only about the three-year plan, which does not address the problem of regrading of watch officers, watch assistants and watch managers, which is the nub of the dispute.

Those who work in the stations are concerned that the reason that the MCA senior executive and management wish to discuss with the union, not regrading, but only the three-year plan is that they do not have the competency or power to negotiate a solution to the problem. Achieving the number of staff required within the existing budget is a challenge for the MCA executive, and there is a sense that the dead hand of the Treasury is lying over that. My hon. Friend the Member for Orkney and Shetland was correct in his response to my intervention. I hope that we are given some evidence today that the Under-Secretary of State and his Department are talking to the Treasury and are seeking the finance required to provide the solution to this particularly intractable dispute.

10 am

Mr. Alan Reid (Argyll and Bute) (LD): I congratulate my hon. Friend the Member for Orkney and Shetland (Mr. Carmichael) on securing the debate and on clearly setting out the issues and the solutions required. My constituency has the privilege of having the longest coastline in the country, so I am obviously concerned about the implications of the present dispute.

People who earn their livelihood at sea—fishermen, those who operate commercial craft or private craft—and leisure users place their lives in the hands of coastguards. Recent one-day strikes led to half the country's rescue co-ordination centres being closed. Obviously, if the dispute is prolonged, it will be difficult to maintain the service. It is important to note that those were the first ever strikes by coastguards, so they are clearly not a militant work force.

Mr. Crabb: The hon. Gentleman might recall that last year, 20 volunteer coastguard teams withdrew their labour and entered into industrial action in west Wales as a result of another industrial relations dispute involving compensation for my constituent, Brian McFarlane—a volunteer coastguard worker who had been injured on a cliff rescue. Concerns were raised about adequate compensation for coastguards who are injured. Uncertainty was created largely as a result of the attitude and communications of the MCA senior management team. Strictly speaking, therefore, this is not the first example of industrial action by coastguards.

Mr. Reid: My point is that the work force is not militant and that industrial action was only taken as a last resort, after years of negotiations.

Starting salaries for coastguards are extremely low. The basic grade in the operations room is a coastguard watch assistant. That role requires a year of training and assessments and examinations must be passed; however, on entry, coastguard watch assistants receive a basic salary of only £12,500 a year. Last October, the agency had to give them an interim pay rise, but that was to comply with national minimum wage legislation. The pay is extremely poor for the type of work that coastguards do. Theirs is a highly skilled and technical job which, importantly, helps to save lives at sea.

As we have heard, comparisons have been made between coastguards and the other emergency services—police, fire and ambulance. Those comparability studies found that, consistently, control room staff in the other emergency services that do a similar job have higher rates of pay. There is a compelling case for increasing coastguards' pay to the same level as those who do similar jobs in the other emergency services.

It is patently obvious that if the MCA does not pay its staff a salary that is comparable to what they can earn elsewhere, they will leave. As other hon. Members have pointed out, staff turnover is high. Low salaries are therefore a false economy for the MCA in the long run, because the agency will incur the costs of training and recruiting new staff. That is on top of the problems of low morale caused by the present industrial dispute.

I urge the Minister to intervene in the dispute without further delay and to broker a deal to end it. That deal must not just solve the present dispute, but involve long-term regrading so that the pay of MCA staff is comparable with that of staff in the other emergency services. If that means securing more money from the Treasury, the funds will have to be found. After the dispute has been settled, the Government should have an inquiry into the management of the MCA to find out why there are such poor industrial relations and to ensure that industrial relations are not allowed to deteriorate again.

Coastguards do a vital and skilled job and deserve a fair rate of pay. The Government must broker a deal because the safety of people who use the sea depends upon it.

10.4 am

Mr. Angus MacNeil (Na h-Eileanan an Iar) (SNP): I congratulate the hon. Member for Orkney and Shetland (Mr. Carmichael) on securing the debate. It is vital that the issue is given a thorough airing in Westminster Hall, and hon. Members from all parties have done exactly that.

I represent Stornoway, which is part of my constituency, and the importance of our coastguard office does not need to be emphasised for my constituents. On many winter days, the radio provides the first news of the morning and bulletins often begin with the words, "Stornoway coastguards say," or "Stornoway coastguards are dealing with"—of course, that might be in English or Gaelic—showing that my constituents understand the importance of the work of the coastguard; indeed, many of them were surprised to find that coastguards are in their present situation.

While I was listening to the hon. Member for Argyll and Bute (Mr. Reid), I was reminded of my experience of listening to the coastguard as a fisherman—whether I was clearing nets or handling creels, work was often interrupted when Channel 67 broadcast the coastguard weather bulletins and other information. Those bulletins were welcome not just for providing a break in the work, but for the vital information that was given and for the fact that there was a reassuring voice.

People are surprised that the pay level of coastguards, who are held in such high esteem, has come to public attention. The hon. Member for Orkney and Shetland talked about coastguards wanting to see the dispute through, but the coastguard and watch officers have no option but to see it through. Although pay rates have been mentioned, I will talk about them again. After one year of training, the starting salary for a coastguard watch assistant is £12,509. To put that in context, it increased in October 2007 only to meet the minimum wage, as the hon. Member for Argyll and Bute said.

Mr. Carmichael: The hon. Gentleman has been part of the campaign for some time. Does he agree that the worst thing that could happen for the Maritime and Coastguard Agency would be for the coastguards to give in at this stage, because the issues would not be tackled in the long term and the problems of low morale and lack of motivation would never be addressed? Those concerned have no option but to continue their dispute.

Mr. MacNeil: The hon. Gentleman puts it well; the coastguards have no option but to continue the dispute. We have talked about there being a high turnover of personnel among coastguards and it will only accelerate unless there is thorough root and branch reform. I am sure that the Minister is well aware of the need for that.

As I mentioned earlier, listeners of the local radio have been stunned to hear the details of the low levels of pay that coastguards receive, and people have also been stunned to read about them in the local newspaper. Coastguards are held in high esteem and their work is seen as very important. I and my constituents were dismayed and surprised to find that coastguards are only on the minimum wage.

Coastguards have not taken the step of strike action lightly. Indeed, the 6 March strike was the first in their 180-year history. The reluctance they felt led to them breaking their strike by trying to ensure that people who were out fishing, those who were engaged in leisure-related activities or anyone who might need coastguard help were not in peril. However, they still tried to make their own distress known and I think they have done so. Their support among hon. Members today shows that their point has been well made.

The Minister will be aware of the rightness of the coastguards' case. No doubt, he could use budget restrictions as an argument, but I urge him not do so, even though it may be tempting. He must use this debate to show the Treasury some steel because it needs to understand forcefully the problems and injustice that coastguards are facing and the situation they are in—I see the Minister is nodding. One of the Government's watchwords is social justice, but the social justice shown to coastguard watch officers is not at the highest level.

Andrew George: I am concerned that the response to the pay settlement—the re-grading—is often to add the shift allowance that MCA staff receive to the basic salary. I hope that the Minister does not confuse the picture or deflect us by including the shift allowance, to which people are entitled because they work antisocial hours. We must concentrate on the basic salary for people's grade, and not confuse the issue by including the shift allowance.

Mr. MacNeil: I am grateful to the hon. Gentleman for a point well made. I am sure that the Minister heard it as well. We all know that the problem lies at the Treasury. The Minister must impress on the Treasury the need to deal with the matter properly. I urge him to stamp his feet if necessary—this is one he should jump in the ditch for.

Strike action was not taken lightly. Coastguard watch assistants, officers and managers have very solid support among MPs. A message should go to the Treasury and to the MCA about the strength of feeling among MPs. We feel that MCA staff should be treated fairly. They have a stressful job that they often have to do in distressing situations, as the hon. Members for Orkney and Shetland and for Argyll and Bute said. Their pay grading needs to match that of the other emergency sectors.

The most surprising thing for me when I first got involved in this matter was to see how staff are treated, especially given the job that they do. It is a linchpin job. They may be co-ordinating the RNLI from their stations, they may be co-ordinating helicopters and they are often the interface with the public. The level of pay they receive for that job is shocking.

The other message to the Minister is that the measures we have described need to be taken now. The situation is urgent; it is dire. Coastguards have gone on strike for the first time in 180 years. They cannot give up; as the hon. Member for Orkney and Shetland said, this is not a time for string or sticky tape. It is a time for real, solid measures to be taken to ensure that we are not dealing with the matter again next year and that we can have conversations about issues other than the difficulty that people have in working for the coastguard.

10.11 am

Ms Katy Clark (North Ayrshire and Arran) (Lab): I am grateful for the opportunity to put on record my support for coastguard staff in the dispute. I congratulate the hon. Member for Orkney and Shetland (Mr. Carmichael) on securing the debate, which is very important for many parts of the country. From speaking with constituents involved in the dispute, I am aware of the level of support in the MCA for the industrial action. I understand that in the ballot in December, 91 per cent. of those who voted did so for industrial action.

As many hon. Members have said, the problem has not come about overnight. It is a historical problem that has existed for many years in the coastguard service, where the levels of pay do not seem comparable to those in other parts of the public sector when we consider the skills, training and experience required in the posts. I therefore join other hon. Members in saying that we want not only a solution to the current dispute, but for the issue to be examined in the long term. It is not acceptable that emergency staff are having to take industrial action.

Today, I spoke to a constituent who is involved in the dispute. He fully supports the action, but he expressed concerns about the possible risks because there is only a skeleton service on the days when industrial action takes place. No one is more aware than those involved in the coastguard of the potential risks when industrial action takes place in such a service. That highlights the fact that it is an emergency service, and just as we say that members of the police service, the ambulance service and the fire brigade should be paid decently for the service they provide to the community, it is only right that we say that for the coastguard service, too.

I offer the Minister my support in any endeavours that he is making to secure funds from the Treasury. I do not think that the situation is of the Department for Transport's making. The reasons for the present situation have arisen over many years. We have heard about the poverty pay in the service and the need to increase salaries as a result of the annual increases in the national minimum wage. As a Labour Member, I have to say that the fact that we have the national minimum wage means that at least those increases have been made. However, they highlight the fact that, for various reasons, we have ended up in this situation. I very much hope that attempts are made to get back round the table with the unions in meaningful discussions that will not only provide a solution to the dispute that we are dealing with today, but ensure that we do not have to have similar discussions in years to come.

10.15 am

Mr. John Leech (Manchester, Withington) (LD): I add my congratulations to my hon. Friend the Member for Orkney and Shetland (Mr. Carmichael) on securing this very important debate. I confess that it feels a bit strange to be responding from the Front Bench to my hon. Friend, who used to be my boss in the transport team and probably knows considerably more about all things watery than I do. I pay tribute to the work he has done to try to force the Government into action to deal with the ongoing dispute. As well as securing this debate, he has questioned the Prime Minister, called for a parliamentary statement from the Secretary of State and tabled early-day motion 1188 on Maritime and Coastguard Agency strike action, which has been backed by 68 right hon. and hon. Members from no fewer than six political parties.

I also pay tribute to the work done by MCA staff, who save lives daily. I express my appreciation to Paul Smith, the MCA section secretary for the Public and Commercial Services Union, for taking the time to discuss the union's concerns with me and providing us all with a briefing for the debate. I record my interest as an active member of the PCS all-party group.

I shall touch on a number of issues, many of which have been mentioned. I shall be interested to hear what the Minister has to say about the contingency arrangements for the strikes that have taken place and what action is planned to deal with any escalation of strike action. There has clearly been some difference of opinion between management and the PCS about the MCA's ability to cope with the strikes.

In a written answer to my hon. Friend the Member for Orkney and Shetland regarding contingency arrangements, the Minister referred to the redeployment of "experienced managers". I would like to hear whether those experienced managers were experienced in the operational duties to which they were redeployed during the strikes. Does the Minister accept that the agency muddled through the one-day strikes, and that staff in Shetland did not strike because they were concerned about the safety implications of staff being away from work?

In the same written answer, the Minister confirmed that the agency would approach contingency planning for any future strike action in the same way. Given that strike action is likely to escalate into a 48-hour strike, I strongly urge him to review that decision, because from the perspective of the PCS, although the agency may have been able to muddle through during a 24-hour strike, it will simply not be able to cope with a 48-hour walkout.

My hon. Friend the Member for Orkney and Shetland referred to recruitment and retention in the MCA. When it was first established, the coastguard was a very different organisation. It tended to recruit staff who were just finishing a career at sea in either the merchant navy or the Royal Navy. They came ashore with a pension and saw an opportunity to remain in the industry by taking a job with the coastguard. For many, it was a way of supplementing their pension. Since then, the job has changed out of all recognition, but the pay structure remains stuck in the 1970s. As a result, the MCA has a real problem with recruitment and retention. Yes, people are still coming into the service, but many leave within the first couple of years, fully trained and often going to better-paid jobs in which their experience is better remunerated. Between 2003 and 2007, of 175 new recruits, 41 left within two years and, as my hon. Friend said, of all staff leaving the service between 2003 and 2007, almost 50 per cent. left with less than two years of service.

In answer to another written question from my hon. Friend, the Minister confirmed that more than £1.1 million was spent on recruitment between 2003 and 2007. Some of that money would have been better spent trying to retain fully trained staff.

In the summer of 2006, management and the trade unions agreed during their pay negotiations that management would undertake a comparability study, examining pay levels in the agency and those of other emergency services and similar staff. It was understood that the work would delay the 2006 pay discussions, but it was thought essential by unions and management and therefore worth while. The work was undertaken by XIS-Solutions Ltd.

The report was produced on 6 December 2006. However, it was not published or made available except to those involved in the pay negotiations. Its analysis demonstrated that although a range of salary levels is paid to ambulance, fire service and police control room staff, who enjoy varying conditions of service, they have a consistent pay lead over MCA staff who work in operation rooms. In addition, levels of responsibility and accountability vary considerably, with MCA staff having the most involvement in ongoing operations. Management's response was to dismiss the report, declaring that it was of no value. It proposed a below-inflation pay offer that did not maintain cost of living increases or address the long-standing problem of pay comparability.

Following the appointment of Peter Cardy as the MCA's chief executive in June 2007, agreement was reached on carrying out a further comparability study. The final draft was broadly agreed by the PCS in September 2007 but it was rejected by Prospect, the other union involved. Joint work highlighted a shortfall in salary for a watch assistant, estimated to be in the region of up to £4,500, as has been mentioned by a number of hon. Members.

PCS has always been ready to accept benchmarking against the other emergency services, despite the fact that MCA staff maintain control of operations until their completion, quite unlike the police, the fire service and ambulance services. It is true that MCA staff do not handle as many calls as the other emergency services, but they have to make tough decisions about when to call off a search. Such decisions cannot be taken lightly. The agency accepts that pay levels need addressing, but it has failed to come up with a solution.

In December 2007, the unions were informed that management wished to make a pay offer that would cover a four-year period—one that would

> "go a long way to addressing concerns over pay levels".

However, it was never made because permission to make the offer was withdrawn.

The real sticking point is the Government's current drive to keep down public sector pay awards. In January Peter Cardy said:

> "Anything that we might want to do is constrained by public sector pay policy. So even if we had the money…We would not be in a position to pay more than the Treasury will allow us to pay."

That merely confirmed what the Minister said in a letter to Paul Smith of PCS in November:

> "You are aware of the Prime Minister's and the Chancellor's position on public sector pay, which applies as much to the MCA as it does to the rest of the Department and the Civil Service more generally. It is clear that the MCA will need to operate within the context of that wider pay policy and the need to control public spending."

That is a smokescreen. The dispute is not about an annual pay award, although public sector workers are understandably concerned at receiving pay increases much lower than the increased cost of living. No; it is about long-standing pay levels that fall significantly behind comparable workers in the other emergency services.

I suspect that most people would be shocked to hear that some workers will get a pay rise in October simply to avoid falling below the new minimum wage. That is not acceptable. The Minister is a reasonable man. We need to hear from him that the Government accept that the dispute is not about this year's pay award. It is about fairness, and ensuring that staff are paid a salary that reflects their high level of responsibility and is comparable to workers in other emergency services. We would like the Government to commit themselves to resolving the dispute. We would like the Minister to agree to a binding, independent review of pay for staff in the MCA.

10.24 am

Mr. Julian Brazier (Canterbury) (Con): I, too, congratulate the hon. Member for Orkney and Shetland (Mr. Carmichael) on calling this debate. The topic is important and, as a number of hon. Members have said, proper discussion of it by the House is long overdue.

Before getting down to the serious matter of pay, I wish to pick out three points that featured in the hon. Gentleman's speech. The first is that the Government have been warned about contingency planning and the problems that may arise if things go wrong during a two-day or three-day strike. Secondly, because of the MCA's structure, those in its top tier are, in a sense, professionally divorced. I do not attack any individual, but the top tier managers come from a different pool from those who work at the sharp end. That is a point for further thinking. Thirdly, I was pleased to hear the hon. Gentleman say that we must not lose sight of the position of the many thousands of volunteers in the MCA, of which he said his father was a distinguished member. I shall return to that subject later.

The coastguards have become the forgotten emergency service. Although 95 per cent. of all goods by weight imported into this country come by sea, few of us make more than a short ferry trip in a vessel. I bow to the hon. Member for Na h-Eileanan an Iar (Mr. MacNeil) and his fishing experience. I have in my constituency a small group of fishermen who play an important part in the community. Day by day and week by week, we all see the activities of the police, the fire brigade and the ambulance service, but it is all too easy to forget the essential work of the Maritime and Coastguard Agency.

Almost everything that arrives in our shops or appears on our plates that has been imported has come by sea. The MCA is the glue that holds the whole thing together in the United Kingdom. It regulates our position as a flag state and as a port state; it inspects all British ships and keeps an eye on foreign-flagged ships entering UK harbours. However, our debate has focused on its most vital work, which is co-ordinating rescues. The 1,250 staff of the MCA answered more than 21,000 distress calls last year, with almost 50,000 seafarers potentially at risk.

When I visited my local coastguard headquarters in Dover—the visit was kindly facilitated by the Minister, who took some trouble to overcome the various complications mentioned by the right hon. and learned Member for North-East Fife (Sir Menzies Campbell)—I

[Mr. Julian Brazier]

was struck by one image: a photograph of a group of volunteers, led by a full-time coastguard professional, abseiling down a cliff to rescue a young woman who had fallen over the edge. Normally, those who fall over the cliff do not survive. Miraculously, her fall was broken at 120 ft by a fridge that had been illegally dumped. If the House will forgive my levity on such a serious subject, it gives a new meaning to recycling! That case reminds us, of course, that MCA staff do not save only people out at sea.

The storms earlier this year, in which we saw three large ships founder, should help to focus all our minds on the dangers still inherent in the seafarer's life. According to the MCA's report, of the more than 1,400 ships registered in the UK, an average of 150 are involved in a maritime incident of some kind each year. To add a footnote to that, the bishop who is the head of the Apostleship of the Sea, in a moving speech in the Speaker's apartments two or three years ago, reminded us that although a spillage of oil invariably gets national and international headlines for days on end, the deaths of mariners at sea frequently only make the smallest entry in the media. The coastguard is of course involved in both situations.

Coastguards must co-ordinate a bewildering number of different bodies when they answer a call, including the Royal National Lifeboat Institution, military search and rescue teams—there are plans for all rather than some of the helicopters involved to be operated by MCA by 2012—mountain and cave rescue teams for incidents on cliffs, and ambulance and fire crews. Kent Fire and Rescue Service is often involved in offshore work. In addition, coastguards have their own search and rescue teams on the coastline. The men and women of the MCA deserve our praise and admiration.

When visiting the Dover headquarters, I was mightily impressed with the way in which the people there, who are experts on the sea, used every kind of modern technology. The dual-tracking system, based on satellite tracking and radar, gives the lie to the idea of the old sea dog gazing through a telescope, although they also had a nice pair of high-powered binoculars—the mark 1 eyeball is always there as a back-up. We must accept that those people have been treated shabbily.

Mr. MacNeil: I am listening carefully to the hon. Gentleman's remarks. At the beginning of his speech, he warned of the consequences of a two or three-day pay dispute. I should tell the Minister that anything that arises from the dispute could be really bad news for the Government. The PCS is looking for only £3 million to resolve the dispute, which seems like a small amount when we consider that the Treasury found £2.6 billion at the stroke of a pen last week.

Mr. Brazier: I shall respond directly to the hon. Gentleman's point toward the end of my speech.

Because of below-inflation pay increases, some staff have found that their salaries have slipped to minimum wage levels, as hon. Members pointed out. Police officers and firefighters have a starting salary of around £20,000, but coastguards start on little more than £12,000. The salaries for watch officers and watch managers are also very low when compared with similar positions in other emergency services. Inflation is soaring, so a pay rise of only 2.5 per cent. has understandably infuriated some of the most dedicated and professional men and women in the public service.

That has brought about the first three strikes in professional coastguard history—the Government should not be proud of that record—and has led to the haemorrhaging of staff. The latter has been referred to a number of times and I do not wish to repeat the detailed figures provided by the hon. Member for Manchester, Withington (Mr. Leech), but I echo the point that was made by a number of hon. Members on the increase in training and advertising budgets, which is money wasted. To clarify, money spent on training is not wasted per se—training is essential—but it is if it relates to unnecessary levels of turnover.

That is not the only area where the coastguard is being let down. Last year, volunteer coastguards went out on their first strike because the Government refused to give them proper insurance for their work. As a consequence, one coastguard who was seriously injured on a rescue mission up a cliff in Pembrokeshire—the injury was so serious that it cost him his job—did not get compensation worth even half his old salary, and that payment was only temporary. Coastguards rely on volunteers for a range of activities, but particularly for cliff rescue. Men and women are prepared to spend their leisure time training so that they can be on stand-by night and day to launch a rescue mission. The treatment of those volunteers is no way to keep their good will; they could easily vote with their feet and do something else in their spare time.

Mr. Carmichael: The management of the voluntary sector is another challenge for the MCA to face. My father was a coastguard auxiliary in an area that he knew intimately because he had worked there as a shepherd with other shepherds. However, there are no shepherds left in that area—the ground is largely unknown to the next generation, who do not know the cliff paths to the shoreline, for example. That range of local, highly detailed expertise will be lost.

Mr. Brazier: The hon. Gentleman has put a point of considerable significance on the record. I shall not comment further because he made it so well.

Two groups of strikes—three days of professional action and a single volunteer strike—have taken place in a sector that has never before taken industrial action, which is an indictment of the Government's approach to the coastguards. We know what has caused the problem: it is not the lack of an energetic Minister in post—the Minister knows that I have the highest personal admiration for him—but that the public finances are in a terrible mess. The official excuse used by the Government to justify the situation is that they need to keep pay increases down generally to fight inflation. However, inflation is running at 4 per cent. on the retail prices index, so offering only a 2.5 per increase means that the salaries of those men and women is reduced.

The sad truth is that we cannot make reasonable pay increases in some parts of the public sector because there is not enough money in the kitty. Borrowing figures for this year have risen exponentially. In March 2006, the then Chancellor of the Exchequer predicted that Government borrowing would be £25 billion in

2008-09, but within a year it had almost doubled to £40 billion. When the current Chancellor introduced his first Budget, borrowing was £43 billion, and by the second, emergency Budget, it had crossed the £45 billion mark.

The Government have run out of money and any incoming Government would be in the same situation—neck deep in debt. Because of the deteriorating state of the public finances, nobody is in a position to make a firm promise at the next election to raise coastguards' salaries to a given figure. However, I can tell the House that I have had a fruitful discussion, given the extreme circumstances, with the Conservatives' Treasury team, and I have their approval to say that if our party is elected, we will review the MCA's position in the context of comparison with the other emergency services.

Mr. MacNeil: I am pleased to hear talk of a review, but have the Conservative Treasury team made any substantial promise of money? That is the nub of the issue.

Mr. Brazier: The hon. Gentleman is right to ask that question. By agreeing to a review in the context of the other public emergency services, and knowing that the MCA's position is different, the Treasury team have made a considerable concession. Clearly, no party or Government would give a blank cheque to a review and guarantee that any proposals will be implemented in full; they must first see what comes up in the review. Not because the sums involved are large—the hon. Gentleman and others have pointed out that they are small—but because of the precedent that any measure could set for other sectors, the transport and Treasury teams have agreed to hold a review in the context of the other emergency services.

That Her Majesty's coastguards, both professional and volunteer, have felt compelled to go out on strike should be a source of considerable shame for the Government. The Minister knows that I do not blame him personally—the blame for our disintegrating economy lies a lot further up the ministerial pay scale—but he should apologise to the brave men and women who guard our coasts and take the responsibility of co-ordinating not only rescue operations, but the routine work beforehand. They deserve our gratitude, so it is sad to see them voting with their feet.

10.39 am

The Parliamentary Under-Secretary of State for Transport (Jim Fitzpatrick): I congratulate the hon. Member for Orkney and Shetland (Mr. Carmichael) on securing the debate. I also welcome you to the Chair, Mr. Benton.

Let me say how much the Government—and I personally—value the excellent work done by the Maritime and Coastguard Agency. The MCA is a complex UK-wide organisation with a world-class reputation. Its coastguards are renowned for providing an outstanding maritime emergency response and search-and-rescue service. Its marine surveyors are well respected throughout the industry for their professionalism and experience. All permanent MCA staff, supported by 3,500 volunteers, make a major contribution to the UK's international high standing in matters of maritime safety, security and environmental protection. It is therefore particularly disappointing that the agency finds itself in the midst of protracted industrial action.

I hope that I will be able to clear up at least some of the misunderstandings that have inevitably grown up around the facts of this case. As hon. Members know, the public sector pay envelope is tight. In that respect, I acknowledge the statement made by the hon. Member for Canterbury (Mr. Brazier) and the commitment that he has from his shadow team. MCA staff are public sector employees, and their pay awards must be consistent with the Government's public sector pay policy.

Mr. MacNeil: We are making the case that the coastguards' pay levels are an historical exception. If the Minister could find the £3 million in his departmental budget—the roads budget, by contrast, is about £13 billion—would the Treasury allow him to pay it to the coastguards?

Jim Fitzpatrick: If the hon. Gentleman will allow me, I will return to the way forward later. If he will let me, however, I first want to lay out the position.

Under the 2007 pay deal, which was imposed in March 2008, MCA staff received an average increase of 3.8 per cent., with some individuals receiving just over 7 per cent. In addition, some staff received a non-consolidated pay bonus, while most staff received an element of performance-related pay. At the current rates of pay, as colleagues have said, a coastguard watch assistant—the most junior grade in the coastguard—who works only day shifts will earn between £12,509 and £14,384. However, most CWAs work a range of shifts and are therefore also entitled to a 25 per cent. shift allowance. Typically, staff at that level who work a range of shifts earn about £16,500 per annum, which rises to a maximum of almost £18,000. A coastguard watch officer with a couple of years' experience who works a range of shifts will earn between £20,000 and £23,400. Of course, there are other benefits, including membership of the principal civil service pension scheme, with its range of guaranteed benefits for individual members and their dependants, as well as six weeks' annual leave.

Much has been made of the comparison between the pay of MCA staff and staff in other organisations, but such comparisons are largely unhelpful because, in many ways, the MCA is a unique organisation. On closer examination, there are often significant differences between the roles and responsibilities of staff holding similar positions in apparently comparable organisations. One example is the number of emergency calls received.

Several hon. Members have suggested that contingency planning was put together with string and sticky tape, to quote the hon. Member for Orkney and Shetland, but I can assure him that the arrangements have worked well. If there are longer disruptions, appropriate contingency arrangements will obviously have to be put in place.

Mr. Carmichael: I want to take the Minister back to something that he said 30 seconds or a minute ago about comparability. He seems to be moving away from saying that the work of the coastguards is comparable to that of other emergency services. Can he confirm that that is not the case? To my mind, there is a strong case for saying that there is comparability; indeed, if that were not the case, it is difficult to understand why

[Mr. Carmichael]

MCA management would have undertaken so many exercises to establish where that comparability put its staff.

Jim Fitzpatrick: My point was that it is not as straightforward as saying that there is a simple comparison between the different organisations. For example, the coastguard receives about 23,000 emergency calls per annum, as one or two colleagues said. However, the fire service receives 690,000 calls, the ambulance service receives 2.7 million and the police receive 5.7 million. That is the scale of the calls involved.

Mr. Brazier: I am sure that the Minister does not want to mislead hon. Members, but the MCA is a much smaller organisation than the others that he mentioned. Surely, he should quote the statistics per employee, not the global statistics.

Jim Fitzpatrick: I fully accept that. All that I was saying is that it is not that easy to draw direct, automatic, parallel comparisons—there are differences in scale.

Andrew George: I hope that the Minister does not try simply to pass over this issue. I entirely agree that the level at which pay should be set across the whole public sector is an entirely separate issue; the nub of the issues before us is comparability and regrading. Is he saying that, having looked at the report, he is content that the administrative assistant, administrative officer and executive officer gradings given to watch assistants, watch officers and watch managers are appropriate to those jobs?

Jim Fitzpatrick: What I am setting out, as I will explain in more detail in a moment, is what we believe is the way forward in terms of the skills and roles of coastguards.

In only one case did direct comparisons and comparators, as well as studies involving job roles in other emergency services, find a fair job match. In another case, there was a good job match between CWAs and firefighters in the most junior grades. There are therefore difficulties with those comparators, although I recognise that they have been put forward very strongly by the unions.

Mr. MacNeil: The numerical comparisons that the Minister makes are dangerous and spurious. We could look at the police force and say that rural policemen—certainly on some of the Hebridean islands in my constituency—are scrabbling around to look for cases, when cases are landing on people's doorsteps in central London. Numerical comparisons are therefore in no way instructive. MPs and the PCS are saying that the value of the service far outweighs anything suggested by spurious numerical comparisons. If we do look at numerical comparisons, however, we should look at the number of cases per head. The MCA has 700 employees, but other organisations have vastly more.

Jim Fitzpatrick: I hear exactly what the hon. Gentleman says. The only point that I was making was that the comparators are not directly parallel or as simple as they might seem. However, I do not completely eliminate them as legitimate issues for unions and staff to put forward when seeking to show that certain issues should be addressed.

Mr. Leech: Does the Minister accept that one could argue that the coastguards have more responsibility than call centre workers in other emergency services because they deal with the emergency from the start to the finish, rather than just taking the initial call and passing it on?

Jim Fitzpatrick: Similar situations arise in other services—I would not classify them. I know that the hon. Gentleman did not mean to refer to call centre workers and that he was in fact talking about emergency call handlers with a very sophisticated role to perform. I recognise the duty that they perform in dealing with an incident from start to finish, which can be a very protracted process. However, that also happens in other emergency services, although perhaps not to the same degree.

The hon. Member for Orkney and Shetland asked about the fact that there was no coastguard on the board of the MCA. The MCA's executive board fully understands and appreciates what coastguards do. It includes a wealth of experience in the maritime sector, including as search and rescue practitioners, in some cases, as I think the hon. Gentleman knows.

The hon. Member for St. Ives (Andrew George) wanted an assurance that we are engaging with the Treasury. I assure him from my limited experience as an Under-Secretary that every Department in Government engages with the Treasury at every opportunity, just as every agency within the Department for Transport engages with Ministers to seek the best level of resourcing that it can get. Government Departments do that with the Treasury and the Treasury does it with the taxpayer. The climate at present is one in which taxpayers say they are being soaked too much. We may argue about priorities but even the Liberal Democrat leader said yesterday that we must cut taxes, and that involves priorities. I shall perhaps return to the issue of the direction of priorities, but as to the assurance that I have been giving that every Department engages with the Treasury, Government policy is well documented. The hon. Member for Argyll and Bute (Mr. Reid) made a similar point.

Andrew George: I fully understand and appreciate what the Minister says about his engagement with the Treasury. I understand and appreciate, too, the way in which public sector pay awards are debated across the board—which is, I am sure, the nature of the Minister's discussions. However, may I be reassured that the Department and the Minister have the freedom to engage in and resolve issues of regrading and comparability without recourse to the Treasury?

Jim Fitzpatrick: If the hon. Gentleman will allow me, I shall return to that point later in my remarks. I can tell him, in response to a question that was also asked by the hon. Member for Argyll and Bute, that the average increase for staff in post in 2008-09 will be in the region of 3.75 per cent., as compared with less than 3.5 per cent. for 2007-08. The MCA can target higher than average increases at specialists, and elsewhere where there are greater than average recruitment problems. Any changes to the MCA's recruitment and retention data since the submission of the 2007-08 remit in January will be taken into account in this year's remit by the Treasury.

The hon. Member for Manchester, Withington (Mr. Leech) questioned the capability of managers to provide contingency cover during disputes. Many of the managers who provided support on strike days have practical experience of search and rescue techniques and practices. The hon. Member for Canterbury raised the question of the drop in morale, and the importance to the service of compensation. Volunteers are very important to the Department and to the MCA. We have carried out a review of their work and are working with them to implement the outcome of that review. For example, we have started to carry out further health checks, to ensure that volunteers carry out their duties with the minimum risk to their personal health. The MCA is now reviewing compensation arrangements and expects to make an announcement in due course.

The hon. Member for Manchester, Withington kindly said that I am a reasonable man, and suggested that I needed to do more with the Treasury. I think I can safely say that I am the only former emergency service worker present who has been on strike over pay against a Labour Government. I remember my own dispute and the nine weeks that we spent on strike, so my question is where we go from here. I have heard at first hand about the frustration and dissatisfaction that many staff feel about the pay structure. I probably should declare that I have family in the service, but I shall not say more, because it would be very unfair on my mum's cousin if I said who and where he is. The trade unions have made their members' views very clear, directly to me, and through the fact that many staff supported the recent strike action, which was the first in the history of the agency.

The chief executive and senior management of the agency are taking a long hard look at what can be done within the existing MCA pay structure to improve the situation for the most junior grades. For example, the review of CWA posts has resulted in some junior staff being regraded as watch officers, with a consequent uplift in pay. In addition, I understand that there have been discussions on a new pay structure, specifically for vessel traffic service operators. That does not change the fact that the public sector pay envelope is very tight and will remain so for the foreseeable future. We want people to be paid appropriately, particularly when taking on new tasks or increasing their work load, but that must be within the Government's public sector framework. That means that management, staff, trade unions and Government need to be more inventive in using the resources that are available within the framework. For the MCA it means thinking long and hard about the work that it does, how it might need to be done differently in the future, and how the agency might need to be organised to do it more effectively.

Challenges are also being posed by new developments in the industry as a whole. There is no doubt that the maritime sector is changing. The increasing size of commercial vessels, developments in offshore renewable energy and the growth in recreational use of the sea all bring new challenges for the agency, in managing the sea safely for commercial and leisure users alike, and in new pressures on the specialists who make up the agency's staff.

Mr. Carmichael: I do not think that any of us would really take issue with what the Minister says about the need for long-term reform. That is understood by the operational staff. However, we should have been having this conversation three or four years ago. Now morale in the agency is already through the floor. I want to hear from the Minister what he will do about changing that. Jam tomorrow just does not cut it any more.

Jim Fitzpatrick: I hear what the hon. Gentleman says, and have heard it from the unions. I understand the pressure that hon. Members, staff and the unions feel, and I acknowledge it. I shall try to explain where I think we shall go from here in my last few comments.

A broader remit and a more sophisticated use of available technologies will also lead to a demand for new skills and work practices. Those in turn will inevitably require a new pay structure. The MCA senior management have already made a start. There has been a fundamental reorganisation of the agency's headquarters staffing structure, bringing together all its customer-facing parts. To improve the strategic leadership focus of the agency the chief executive is reducing the number of directors from five to three. To take things further to the point at which new pay structures might be developed, the current industrial action needs to be replaced by a willingness on both sides to talk about the future and the positive challenges that it could bring the agency. There are, I am sorry to say, no quick fixes available. The MCA management and unions need to sit around a table to discuss the relationship between pay and the future work of the agency. It would be very disappointing if maritime safety and the UK's reputation as a well respected maritime administration were to suffer because of an inability to find a solution to the current dispute. It would be in no one's interest for that to happen.

Mr. Carmichael: We had a comparability study in 2006, and we have the pay benchmarking analysis from 2007. People have been around the table and done the work, but the situation still gets worse.

Jim Fitzpatrick: I again acknowledge what the hon. Gentleman who secured the debate says. I must repeat that for this year the settlement has been imposed. We are interested in considering, as we have been discussing with other areas of the public sector, multi-year deals. For next year that is probably not practicable, because of where we are in the negotiating cycle with the Treasury for next year's remit. We must get to grips with what we are putting into the Treasury, which means that the MCA and unions must work out exactly where they are going.

Mr. Carmichael: This year's pay settlement was imposed, and so was last year's, and so, I think, was the one for 2006. Is that how we are going to solve this?

Jim Fitzpatrick: Sadly, if we are unable to reach agreement on pay settlements, imposition is clearly the only way in which we can get the money that is available into people's pockets, despite the dissatisfaction that individuals feel, because of the nature of pay dealings. I

[Jim Fitzpatrick]

am not happy about the situation; neither, clearly, are hon. Members, nor the staff and unions. The management of the MCA are not happy either. They need to work out the demands for this year, and the new structures and skills, and make the bid for the upskilling of staff.

Minehead Driving Test Centre

11 am

Mr. Ian Liddell-Grainger (Bridgwater) (Con): It is a pleasure to serve under your chairmanship once again, Mr. Benton. I am grateful for the chance to discuss this matter. I am delighted to see that the Minister is still here—it is a long day for him. The hon. Member for Orkney and Shetland (Mr. Carmichael) can go home; Minehead test centre takes over.

Mr. Alistair Carmichael (Orkney and Shetland) (LD): I promise the hon. Gentleman and the Minister that I will not stay for this debate as well, but I suspect that I know what the hon. Gentleman's argument will be. I too have problems with the management of the Driving Standards Agency. If I were to stay, he might reasonably anticipate substantial support from me.

Mr. Liddell-Grainger: I thank the hon. Gentleman. He is not a local man, but they have cars in Orkney and Shetland, I suppose.

I look to the Minister for an old-fashioned common-sense approach—a commodity too often in short supply here in Westminster, I am sorry to say. This is not merely the story of one little driving test centre fighting for its own survival. In Somerset alone, the axe is poised to fall on several centres. The Minister has the demeanour of somebody who thinks that he knows the argument pretty well by now, as he has been wheeled out so many times recently to bat for the defence. As he dons his pads and oils his willow again today, I urge him to pause and put a substantial cricket box down his trousers too. I shall be bowling, I hope, with a sure eye and a lot of speed, but I guarantee no spin. I always leave that to the Government.

If the Minister asked his official driver nicely, I have no doubt that he could be whisked down to the bracing seaside town of Minehead, but he should be warned that it is a grunting pig of a journey once one leaves the motorway. Our so-called A road is, unfortunately, much closer to a Z road. The British economy may be going to pot, but Somerset's roads have long since gone to potholes. The Australian outback and the dirt tracks of downtrodden Delhi offer safer driving conditions. Bumping and bending one's way from Taunton or Bridgwater towards Minehead is like riding the wall of death on a unicycle. It is not funny; there have been endless fatal accidents.

On the A358 from Williton to Taunton, there have been an average of three deaths a month over the past five years, as well as 161 other casualties. The Liberal Democrats in county hall are Scrooge-like when it comes to running repairs. Her Majesty's Government have not held them to account, and have looked the other way when we have asked them to make the council spend more money on the roads. As a result, the main road in question is becoming more like a human abattoir. That is not my phrase; it was coined by one of the many highly experienced driving instructors who dread the closure of the Minehead driving test centre. They know the score—they have counted the carnage among their pupils. I have been arguing the case for 10 years against what seems like a blind Government juggernaut: the Driving Standards Agency—the self-contained quango monster that seeks to do to driving tests what McDonald's has done to gourmet cooking. If the DSA has any DNA, I can readily detect some of its genetic faults. It loves to move things around and sometimes, I suspect—I am sorry to say this, but it is common in other Departments—it does so just for the sake of the move.

When Minehead's test centre was first threatened with closure in 1998, the DSA was based in Newcastle upon Tyne—a fine city from which I hail—but today the DSA is in Cardiff, so look out, boyos. Heaven knows what it cost to move that entire bureaucracy. The DSA's blinkered ethos has not changed at all. It still has a "let's offer less and call it more" mentality. It wants to cut radically the number of driving test centres throughout the United Kingdom and replace them with brand spanking new ones, but far fewer of them. That is being done partly in the name of efficiency and partly because the Government have agreed to sign up to new European driving standards, which will mean harder written tests and a more taxing time for motorcycle riders, who are far more vulnerable as road users.

I have no problem with making the tests more stringent, but I protest strongly about using the stiff new motorcycle tests as one of the key reasons for shutting my local driving test centre. We do not test motorcyclists in Minehead, and we never have, but of course it must seem so much easier to lump everybody together in one place and pretend that money is being saved. The brave new world of multi-purpose driving centres sounds so mouth-watering.

Here are some of the super, soar-away, sexy details about the DSA's plans, taken this morning from its website:

> "All customers will receive information on important road safety messages via LCD screens fitted in the waiting areas."

Hurray, just what we always wanted. Here we are wetting ourselves in case we run over the white lines or an old lady, and the DSA wants us to watch grisly road safety films first. The website also says:

> "Discussions are taking place around using the new centres to engage the local community in 'safe driving for life' initiatives."

Oh yeah? I have not heard of any such discussions. That sounds like politically correct garbage. I have yet to meet a driving test candidate who ever went back to the driving test centre, except to take the test again. The website continues:

> "It is intended that most car test customers will not have to travel more than our current travel distance criteria".

That is bad grammar. It is also total bunk, because of the appalling state of the roads.

> "Most motorcycle test customers should be able to reach their nearest test centre within 45 minutes, travelling no more than 20 miles".

That is completely irrelevant, as I have said.

According to the website, there will be

> "Off-road parking for customers".

That is not actually a problem in Minehead. We have quite a lot of parking. There will also be posh new loos and showers for the staff. As any Blackpool landlady would say—the Minister and I have suffered it—"Shower, lad? You should have had a shower before you came." We have all been there. The next one takes the biscuit:

> "New furniture and fittings will enhance the customer experience".

What are they talking about? When I took my driving test, I was far too worried about mucking up the three-point turn to notice the colour-co-ordinated fabric on the chairs in the waiting room, although it is a while ago now. Given the nervous state of most driving test candidates, cheap wipe-down surfaces might make more sense—stand by with the Dettol.

Unfortunately, the situation is serious. It has been 10 ridiculous years in the making, involving an ever-changing list of excuses for closing a perfectly good and popular local test centre. I ask the House to think back to 1998, when the famous song "Things Can Only Get Better" was still ringing in our ears. I am sure that we all remember it, although perhaps not in Crewe and Nantwich. The sight of Peter Mandelson humming along still gives us all the shivers, I suspect, but never mind. In 1998, Cherie Blair had not yet been on an overnight trip to Balmoral, and the Minister had no wrinkles at all, and perhaps even no grey hairs. With your permission, Mr. Benton, I quote the Driving Standards Agency's excuse of the year 1998 for wanting to shut the Minehead test centre:

> "Test routes are not considered representative of modern day driving conditions because they lack dual carriageways and roads with speed limits above 50 mph".

Ten years later, we still have no dual carriageways, and 50 mph is the average speed between Minehead and Taunton and Bridgwater. That is what the signs say.

We also have incredibly dangerous roads. If we seriously intend to teach people to drive safely on such roads, surely the best and only way is to teach and test in the area itself, but the DSA wants to shut the Minehead centre and move everything to Taunton, to one of the flash new centres with road safety films and cloth seats. How are poor young drivers going to get to the test centre? Down the killer roads, of course, but when they take off for the test centre, they will not have a driving instructor next to them with dual controls in case something goes wrong. If the DSA gets its way, test candidates will be accidents waiting to happen on their way along some of Britain's most dangerous roads. I am not talking through my hat—that is what the police and the most experienced driving instructors say.

I am afraid that one size does not fit all if one lives in west Somerset, and I would suggest that one size should not be made to fit all when flesh and blood are at stake. The DSA is putting itself at risk of causing people serious harm, or perhaps worse. We need to keep our test centre because—I am going to be crude—we need to keep death off our roads. Driving is not a luxury in my neck of the woods, but an expensive day-to-day necessity. The roads are in a poor state of repair, but it requires infinite patience to take a bus, because the county council has cut bus subsidies as well as being incredibly mean with fresh tarmac. If the test centre is shifted to the county town, the driving instructors will have to go too, and so will their customers. They will have to go to Taunton to take meaningful lessons, but it costs a lot of money to get to Taunton—more money. I am genuinely concerned about the possibility of some young people simply shrugging their shoulders and breaking the law instead. The whole country has a problem with unlicensed driving—that is not news. However, by moving the centre to Taunton we might be encouraging even more lawlessness, which nobody wants.

[Mr. Liddell-Grainger]

I am also disturbed by the way in which the DSA has ignored so many good, solid and constructive efforts in Minehead to keep the test centre in place. At one time, it appeared that the test centre would have to find new premises because its landlords—the local council—had other plans for the building. That might have been the DSA's excuse for saying, "Okay folks, it's time to go to Taunton," but instead it paid lip service to the efforts made by the council—I praise councillor Keith Ross and West Somerset district council for trying to sort this out—the driving instructors and many others, including Minehead town council, to find alternative premises. The DSA did not attempt to discourage the search for new sites, but actively encouraged and urged us to look. Thus, it wasted everyone's time, while pretending that it wanted to listen. With the help of West Somerset district council, no fewer than half a dozen workable sites were found and investigated, but the DSA said no to all of them.

For a whole decade, this blessed body, the DSA, has used a raft of different excuses to shut our test centre. There was the faint possibility of new European regulations, so we had a period of so-called consultation where all the arguments were advanced and the DSA ignored them. It tried to use the new motorbike tests as an excuse, but Minehead does not test motorbikes, and never has, as I said before. Now the DSA is relying on winning friends and influencing people with showers for the staff, and comfy chairs for the candidates. It stinks!

One other rather important point has been roundly ignored. The Minister's driver is probably sitting at the wheel of his environmentally friendly Toyota right now. We all care about our carbon footprint, more so in the countryside, but this time the DSA has put its oversize carbon boots right in the deep doo-doo. The journey from Minehead to Taunton might look like a quick hop on a map, especially if one is sitting in the DSA's Cardiff office, but in fact it is a gas-guzzling, stop-start trek from start to finish. I honestly suggest that the Minister tries it. It is dangerous, costly and a carbon nightmare.

I read the Minister's speech on this subject after the hon. Member for Somerton and Frome (Mr. Heath) asked about the situation in his area. I do not envy the Minister his task of finding something sensible to say about a very unpopular and senseless decision. To many of my constituents, the loss of the Minehead test centre could be a tragedy. It is not necessary; I promise the Minister that it has nothing to do with EU legislation; it could cause accidents; it may lead to lawlessness, and it could be the very opposite of going green. In fact, the only things in its favour are those wretched new comfy chairs. To many of my constituents, the DSA's initials now stand for: dreadful, senseless and arrogant.

11.14 am

The Parliamentary Under-Secretary of State for Transport (Jim Fitzpatrick): It is a pleasure to see you presiding again this morning, Mr. Benton. I congratulate the hon. Member for Bridgwater (Mr. Liddell-Grainger) on securing this debate, on the tone of his remarks and on the way in which he delivered them. I acknowledge that this is a big issue for his constituents.

I begin, however, by advising the Chamber that we have decided to develop a new national network of driving test centres to facilitate new European requirements for practical driving and riding tests. The new European standards support our domestic strategy for reducing road casualties—to reduce the 3,000 plus killed and 30,000 seriously injured each year on our roads. Furthermore, these centres, which are based on an updated design, are fully compliant with the Disability Discrimination Act 2005 and also support the Government's wider sustainability agenda. They are better suited to delivering a modern driving test than much of the current driving test centre estate.

The new centres will have the appropriate facilities to deliver all other types of practical test for learner car, lorry and bus drivers and motorcyclists. The DSA did not own or lease any sites that could provide a sufficient area of hard-standing upon which to undertake the new manoeuvres. A programme of land acquisition and construction was initiated in 2005, and so far the DSA has acquired 41 sites. As an organisation that relies on test fee income for the provision of its services the DSA needs to ensure that it can deliver a cost-effective service that avoids unnecessary expenditure.

The provision of multi-purpose test centres is expected to cost in the region of £71 million, which will largely be recovered through increased fees paid by driving test candidates. In order to keep those fee increases to the minimum, the DSA must closely examine how it delivers its services, and seek more efficiencies in the way that it conducts its business. That will include reviewing existing driving test centre provision to ensure that, while the service standard is maintained, there is no wasteful over-provision of facilities. Regrettably, that means that some existing facilities have to close. We have concluded that between 40 and 50 MPTCs would be required to meet existing service standard criteria.

To maximise population coverage, however, and to minimise the number of candidates who have to travel further than specified in the travel criteria, we are seeking to develop about 60 MPTCs across the country. Where population density is between 101 and 1,249 people per square kilometre, candidates should not have to travel more than 20 miles to a test centre. In the least densely populated areas where the population is equal to or less than 100 persons per square kilometre, the practical test centre should be located so that most customers travel no more than 30 miles to a driving test centre. The service standard applying to the Minehead area is that most candidates should not have to travel more than 30 miles.

The driving test centre at Minehead is located in the offices of West Somerset district council in Blenheim road, Minehead, as the hon. Gentleman outlined. In February 2008, the DSA was informed that the council would be terminating the lease, ending the tenancy with effect from 1 September 2008. As he rightly said, alternative accommodation has been offered by the district council, which has been considered by the agency, but rejected, because the site does not offer the full range of adequate facilities required of a modern driving test centre.

The DSA has also looked at wider issues around locating a driving test centre in Minehead. In order to provide fair and efficient driving tests, it is essential that each driving test centre is served locally by a number of test routes that provide opportunities for candidates to demonstrate their ability to drive in a variety of road and traffic conditions. Unfortunately, the local driving test routes in Minehead are considered to be substandard. The inadequacy of test routes in the area has helped persuade the DSA that, regrettably, it can no longer justify having a test centre in the town.

In the case of the hon. Gentleman's constituents, it is anticipated that the majority who currently attend the Minehead driving test centre will have access to alternative facilities at Taunton, which is some 24 miles away. Taunton has capacity to absorb the demand from Minehead without compromising waiting time targets. Minehead does not have any examiners based permanently at the driving test centre, and examiners from the Taunton test centre conduct the tests at Minehead. In 2007-08, Minehead delivered only 956 car tests. As a comparison, in the week commencing 24 March 2008, the following numbers of car tests were delivered from local centres: 18 at Minehead, 89 at Taunton and 117 at Exeter.

I understand the natural desire to practise driving in the area close to the test centre, but we are not persuaded that it is a sound argument when deciding where to locate driving test centres. In the interests of road safety, driving instructors should be teaching pupils to drive and not simply to follow known test routes. I know that that is not the practice of all driving instructors, but there is a minority who make pupils drive the test routes more than they should. The week before last, a consultation document was published on new testing and training regimes on the basis that we need to tackle the 3,000 deaths on our roads every year and the fact that only 20 per cent. of pupils pass the test first time.

Pupils should experience a variety of roads, and different traffic conditions and locations to prepare not only for their test, but their future driving career. Visits to the test centre need only be for pre-test familiarisation. As a multi-purpose test centre is being developed at Taunton, and is planned to open in February 2009, the future of the Minehead driving test centre was already under review. Because of the concerns about test routes and the need to ensure that the DSA delivers a cost-effective service, the likelihood is that the test centre would have had to close in any case. In that situation, the actions of West Somerset district council have simply accelerated the process.

It should also be noted that only car driving tests are delivered from the Minehead driving test centre. Motorcycle, lorry and bus driving test candidates from Minehead currently have to travel to Taunton or Exeter, which is 47 miles away. The hon. Gentleman is as aware as I am of the difficulty in rural areas of striking the right balance between the provision of a satisfactory level of public service and the costs that that service incurs.

In closing the Minehead driving test centre, I believe that the DSA has struck the best balance available. The hon. Gentleman has raised his concerns about learner drivers travelling from Minehead to Taunton on the busy A358 causing delays or accidents. As the DSA advocates safe driving for life, we would expect roads of that standard to be included by an instructor during the latter part of a candidate's training regime. It is preferable that experience of that road is gained while candidates are accompanied by an experienced instructor rather than as an unaccompanied novice driver. Familiarity with a local road can only lessen the risk of them being the cause of an accident in the future.

Mr. Liddell-Grainger: The Minister is unaware of how dangerous those roads are. Let me give him a steer on the problem. The county council wanted to impose speed limits on the road. The police were so concerned that they refused to enforce the speed limit, against the county. It is such a bad road. We have the highest level of elderly people in the county and their driving is quite slow. Added to that, the country's biggest Butlins is based in Minehead, which means that people overtake all the way along the road. As the Minister said, young learner drivers will have an instructor to go down to Taunton, but most of the time, they will be with a parent, a brother or a sister. I cannot stress enough how dangerous the roads are. The police cannot enforce the speed limits.

Jim Fitzpatrick: I take entirely to heart the hon. Gentleman's comments. Although death rates on our roads have been reducing in line with the Government's road safety strategy, death rates on rural roads have stubbornly not come down at the same rate. We have just given an extra £8 million to four rural county authorities that are beacon authorities in road safety. I will send the details to the hon. Gentleman after the debate. Those authorities have been successful in reducing their rates and we want to know what they are doing, and how they can spend the money to demonstrate even greater progress so that we can roll out their examples to other rural and county authorities to try to encourage improvements in performance. Varying the speed on certain roads is an engineering solution and is one way in which the police, county councils and road safety authorities should be able to deal with roads that are regarded as more dangerous than others.

I fully accept the points that the hon. Gentleman made about young drivers. They are why we are changing the driver training and testing programme. Too many young drivers, who are in the first six or 12 months of their driving careers, are disproportionately counted among the fatalities and serious injuries on our roads. They are not being trained to an adequate standard for a whole number of different reasons. People think that they pass a test because of luck rather than judgment. They are not being adequately prepared to deal with the risks on our roads, particularly on our rural roads. I do not underestimate the seriousness and the sincerity with which the hon. Gentleman raises the question about the road between Minehead and Taunton. If there is anything that we can do to help, we would be very happy to do so.

I regret that my response is not what the hon. Gentleman wanted to hear, but I hope that it has explained the background and the policy decision behind the issues, and I will send him the information that I promised him later this week.

11.25 am

Sitting suspended.

Liver Disease

[MR. MARTYN JONES *in the Chair*]

2.30 pm

Dr. Brian Iddon (Bolton, South-East) (Lab): I am pleased that my hon. Friend the Member for Derby, North (Mr. Laxton), who is chairman of the all-party group on hepatology, secured this debate. Unfortunately, he is unable to be here because he has had a minor operation in hospital that involved his mouth and it would have been a little difficult for him to deliver his speech. With the kind permission of Mr. Speaker, I have been asked to open the debate in his place, as vice-chairman of the all-party group.

We have only one liver, and it is a vital organ. Because I am a chemist, I have always described it as the chemical factory of the body. It processes all our waste metabolic products after the body has abstracted the vital carbohydrates, fats and proteins and the essential vitamins and minerals on which our life depends. If it begins to fail, a backlog of toxic chemicals throughout our system causes us all sorts of problems, and multiple organ failure results in death if those toxic products are not removed. We cannot ignore that vital organ—it is precious and, as I have said, we have only one.

Liver disease is caused by inflammation of the liver, or hepatitis, which can be provoked by alcohol or other drugs or by various viruses. It can also be provoked by antibodies directed at the liver. That is called auto-immune liver disease, and it predominates in women and is possibly genetically linked. Other causes of liver disease are excessive iron or fat deposition in the liver and a variety of much rarer diseases that are difficult to detect. Inflammation can become chronic and progress through cirrhosis of the liver, which is a scarring of the tissue, otherwise known as fibrosis, and has a high mortality rate, to cancer of the liver. I hope that my hon. Friend the Member for Norwich, North (Dr. Gibson) will appear here to tell us more about cancer of the liver.

A number of viruses affect the liver, the most common being hepatitis A, B, C, D and E. Only B, C and D can cause long-term disease, and the hepatitis D virus can survive in our bodies only if we are also infected with the hepatitis B virus. Carriers of those viruses might not exhibit symptoms of the disease, and indeed they can be carried for long periods. There are simple tests to detect them, which can be followed by a liver function test if necessary, and even by a liver biopsy, which is not a pleasant procedure, or a less interventional procedure known as ultrascan.

There are two reasons for my interest in the debate, both of which arise from my interest in hepatitis C. Early in my parliamentary career, a constituent called David Fielding came to see me. He was extremely ill with hepatitis C, which he had contracted through contaminated blood transfusions. David was a haemophiliac. Tragically, his brother, who was also a haemophiliac, died after contracting the same disease in the same way. Eventually, David Fielding was admitted to the Manchester Royal infirmary. Just before Christmas one year, when he was in critical condition and expected to die, he and his long-standing partner decided at long last to get married.

Then David received what I expect was the best Christmas present that he or his family will ever receive. A call came from Jimmy's hospital in Leeds, saying that at long last a matching liver had been found for him. The hospital had been looking for one for quite some time. He was rushed across the Pennines in an ambulance and thankfully, he is alive today because of that important liver transplant. Before the transplant, he looked awful. I met him several times and he was always yellow, full of the jaundice that people with failing livers experience.

I am pleased to report to the House that today, David is well and without the hepatitis C virus. He is campaigning to bring to the surface the truth about contaminated blood, much of it collected from prisoners in American jails, and has been to every sitting of the Archer inquiry, the results of which will be out later this year. I have given evidence to it, and I hope that our Government will take note of Lord Archer's findings for the sake not only of David Fielding but of all the other people who are seeking the truth about the blood that transmitted to them viruses such as hepatitis B or C or HIV. An estimated 2,000 to 3,000 haemophiliacs received contaminated blood in this country before the Department of Health realised the huge risk of imported, contaminated blood.

My point in telling that story is to highlight the need for more people to register as potential organ donors. There is a staggering 500 per cent. projected increase in demand for liver transplantation in the next six to 10 years, which is a very short time span, and a similar projected increase in the incidence of liver cancer. Even with a vigorous organ donation campaign, there will not be enough livers to save all the lives that will be at risk. That is one reason why I have supported stem-cell research, which might allow us to grow tissues in the laboratory for the repair of organs such as the liver. Some 38 people die from liver disease every day in this country, and 100 people on the waiting list for liver transplants die every year. The huge shortage of livers for transplantation means that early diagnosis and treatment of liver disease is a far better option.

The second reason for my interest in the debate comes from my interest in the misuse of drugs. Whether they are controlled, prescription or over-the-counter drugs makes no difference. I am the chairman of the all-party group on drugs misuse. Some 80 per cent. of those who contract the hepatitis C virus, which I shall call HCV, do so as a result of injecting drugs and sharing syringes and other paraphernalia with other people. That is particularly the case in prisons, where we could do much more to prevent the spread of blood-borne diseases. Anyone in contact with the blood of an HCV or hepatitis B carrier is likely to pick up the viruses, as they are readily transmitted through contact with blood.

People such as David Fielding, who contracted HCV as a result of blood transfusions, have been extremely reluctant to campaign on the subject because of the stigma associated with it. However, the late Anita Roddick, of The Body Shop fame, who was a patron of the Hepatitis C Trust and contacted HCV as the result of a blood transfusion during childbirth, more than 30 years before the disease displayed symptoms throughout her body, was brave enough to campaign. HCV can lie undetected for such long periods without a patient feeling the symptoms, which start with dreadful fatigue, headaches and depression, leading to the other difficulties that I have mentioned. Anita's husband has given the Hepatitis C Trust permission to use her image, and people will see posters advertising its work in the medical magazines and in public places throughout Britain. I wish to put it on record that we are very grateful to Anita Roddick's family.

We chose to request the debate this week because it is national tackling drugs week—I shall be spending some time with the co-ordinator of our drug and alcohol team in Bolton on Friday—and because last Monday, 19 May, was the first ever world hepatitis day. It involved 200 patient groups in 15 countries and was co-ordinated by the Hepatitis C Trust, helped by all the organisations with an interest in liver disease.

Deaths from infectious diseases, cardiovascular diseases and cancer have been showing a strong downward trend in recent years, but, tragically, deaths from liver diseases in that same period have been showing quite the opposite: a strong upward trend. Sadly, the UK is the only developed country exhibiting that upward trend.

Obesity leads not only to diabetes but to fatty liver disease. Non-alcoholic liver disease may develop in people who have insulin resistance and type 2 diabetes. The condition is mostly preventable, of course, through exercise and by eating healthier foods, and I am pleased that the Government are paying attention to obesity.

I mentioned that contracting hepatitis C can result in mortality, as can contracting the hepatitis B virus, but excessive use of alcohol causes about 25 per cent. of liver disease, and more and more people are dying of it as a result. Younger people are starting to consume strong alcohol at an early age. Tragically, an increasing number of them, too, are being admitted to hospital with liver disease.

Many people with alcoholic liver disease are not actually alcohol-dependent, and they think that they are drinking alcohol safely when they are not. They are drinking alcohol at hazardous levels, and a change in their behaviour could save their lives. I am pleased that the Government are also concentrating on excessive alcohol consumption, otherwise known as binge drinking.

Deaths from alcoholic liver disease have doubled in the past 10 years. Patients with alcoholic cirrhosis are heavy users of expensive hospital resources. They occupy beds, including intensive care beds, that need not be occupied, and they require blood and various medical interventions from the national health service. All of that is avoidable. The NHS could make huge cost savings, and facilities could be released for those who have not made themselves ill in that way.

Heavy alcohol use in the person who carries the hepatitis C virus increases the risk of hepatitic cirrhosis 31 times, and the risk of developing cancer of the liver in an HCV-positive person with cirrhosis is increased seven-fold. The message is that drinking and hepatitis C together greatly increase the risk of mortality.

Everything that I am about to say about hepatitis C is probably true also of hepatitis B, but, sadly, there is not even a strategy within the NHS to deal with HBV. The Hepatitis B Foundation, which is calling for such a strategy, told me that the Department of Health has not carried out any research to ascertain the figures for the disease, but it estimates that there are about 320,000 carriers of HBV in the UK at present, many of them in a chronic condition. Worldwide, 350 million people are known to be chronically infected with HBV, and between 0.5 million and 1 million people die with the virus every year. It is second only to tobacco as a human carcinogen, causing 50 per cent. of all liver cancers. HBV can survive in dried blood for up to one week. It is 100 times more infectious than HIV, which may surprise people. Worldwide, the most common infection route is vertical transmission from mother to baby but, like HCV, HBV is a common disease among injecting drug users.

Fortunately, a vaccine is available for preventive treatment of HBV, but, sadly, the UK is one of the few countries in Europe that has not yet implemented the universal vaccination policy recommended by the World Health Organisation. In fact, 85 per cent. of countries throughout the world have already adopted it. There are reports that some doctors in general practice are charging as much as £160 for the vaccination—for a single HBV vaccination—probably in the belief that the patient will be reimbursed by their employer, which is not always the case. Fortunately, several drugs are available to treat HBV sufferers, but only about 1,500 patients are receiving such treatment in the UK annually.

The hepatitis C virus was identified in 1989. Such viruses are relatively new. HCV is the biggest cause of chronic liver disease in the world. It also damages kidneys, white blood cells and the thyroid gland.

Mike Penning (Hemel Hempstead) (Con): I am interested in the point the hon. Gentleman made about the virus being relatively new. In his expert opinion, is the virus a new one or is it that we have only recently discovered it using new techniques? Is it new, or has it always been there?

Dr. Iddon: I cannot answer the question exactly, but the virus would have been around prior to 1989. It was detected in 1989 and researched, and we are where we are today. I do not think that it has been around for a very long time. We are still discovering new hepatitis viruses, and they have been given letters of the alphabet from A to E. We may be up to G now.

HCV is an enveloped ribonucleic acid of the flaviviride family and is incredibly difficult to destroy. It is capable of surviving in dried blood for up to three months—much longer than HBV. It has a high mutation rate, and it is thought that six strains, each with 40 sub-strains, currently exist, which are capable of spontaneous mutation. That is the problem. For that reason, it has not been possible to develop a vaccine for preventive treatment of HCV.

The Hepatitis C Trust believes that as many as 500,000 people may be infected with HCV in the UK, with 90 per cent.—certainly 80 to 90 per cent.—of them being completely unaware that they are carrying the virus. An estimated 130 million people are affected by HCV worldwide.

The earlier a person is diagnosed with HCV, the easier it is to treat them. Treatments are more limited for HCV than they are for HBV. Treatment for HCV is carried out through combination therapy. The complete treatment programme, which combines a daily tablet of ribavarin with a weekly injection of alpha interferon, costs an amazing £15,000, and not everybody is cured. About 55 per cent. of the people who undergo the combination therapy will be cured. The rest will not, and they may or may not live longer.

[Dr. Iddon]

People tell me that the combination therapy is not very nice. I have spoken to several people who have undergone it. It lasts between six months and a year, and most people cannot work while they are undergoing it.

The cost is £15,000 per year, but I put it to my hon. Friend the Minister that the cost of a liver transplant, even if a liver were available to transplant into the patient, is considerably more than preventing people from getting HCV in the first place or treating them when they have been infected by it.

Mrs. Ann Cryer (Keighley) (Lab): I am interested in my hon. Friend's comparison of costs of transplants and so on. Would a person be healthier as a result of a transplant rather than the treatment? He said that the treatment was unpleasant, and that people are reluctant to have it.

While I am on the subject, would my hon. Friend support an assumption in favour of donation of organs after death? We do not seem to be progressing at all with receiving organ donations. I mention that because my second late husband, John Hammersley, died from liver cancer. I think that he would have been too old for organ donation, but it still grieves me to think that I was never asked whether my first late husband's organs could be used. He died from injuries resulting from a motor car accident and was taken to hospital with me. We are lacking in this area. Will my hon. Friend explain his position on the matter?

Dr. Iddon: I know of the tragic loss of my hon. Friend's second husband from liver cancer. Although as a chemist I have limited knowledge of medicine, I am in favour of opting out of organ donation, rather than opting into it. That is a controversial topic in this place. I have carried an organ donation card for decades and renewed it recently to ensure that my name is still on the list, although I am afraid that I am almost 68 and my organs are a bit knackered compared with those of a younger person, so they may not be useful any more.

In March 2001, the Department of Health commissioned a hepatitis C strategy for England, which was released for discussion in August 2002. I am pleased that the hepatitis C action plan for England was published in July 2004. The all-party group on hepatology, which was formed only in 2003—in the presence of the late George Best, who was one of our original patrons—and the Hepatitis C Trust became concerned about the implementation of the Government's plans, so we jointly published "The Hepatitis C Scandal" in March 2005 to voice our concerns about that area of clinical practice.

On 23 May 2006, we published the results of a survey of primary care trusts and NHS hospital trusts. Questionnaires were sent to all of them, and as we received the answers we marked the implementation of the plan on a scale ranging from one to 10—one being poor and 10 being the best. About 63 per cent. of PCTs responded, but only 8 per cent. of them demonstrated effective implementation of the hepatitis C action plan laid down by the Government, with a further 56 per cent. demonstrating that they had taken some action and the remainder—36 per cent.—demonstrating only minimal implementation of the plan in 2006. Where a patient lived at that time very much determined whether they received a diagnosis or, having received a diagnosis, treatment for hepatitis C virus infection. Indeed, our report was titled "A Matter of Chance". In 2006, 65 per cent. of NHS hospital trusts responded, and 39 of the 85 hospital trusts reported significant delays for treatment. Waiting times varied from one week to one year, which is unacceptable.

Jointly, with the Hepatitis C Trust, our all-party group has just repeated that survey. Our current report, "Location, Location, Location", was published on 14 February this year. About 84 per cent. of PCTs responded on this occasion. There has been a significant improvement since the last survey, but still only 36 per cent. of PCTs are implementing the hepatitis C action plan for England effectively this year. I am pleased to say that Bolton PCT—my own PCT—is one of the best, scoring nine out of 10 points. Unacceptably, 15 per cent. of the responding PCTs have demonstrated minimal or no implementation at all, while 49 per cent. demonstrated that they have taken some action. Mid Essex PCT scored no points, Dudley PCT and South West Essex PCT each scored one point, while Lincolnshire NHS Teaching PCT, Western Cheshire PCT and Newcastle PCT scored only three points. Those were the worst responders among the primary care trusts.

Some 59 per cent.—37 of the 63—of the NHS hospital trusts that responded reported that some of their patients had to wait more than three months for their first consultation at the hospital. In addition, they said that referral waiting times to see a consultant varied from three to 20 weeks and that patients waited a further two to 24 weeks for treatment to commence. Adding those figures together gives an unacceptably long period, which we need to reduce. Less than two thirds—62 per cent.—of responding NHS hospital trusts are confident that they will have the necessary infrastructure in place to ensure that all hepatitis C positive patients can start treatment within 18 weeks, which is the target for December 2008 set by the Government.

The Government's action plan was launched more than three years ago and its limited implementation is putting a lot of people's lives at risk, so we are calling for action now from the Secretary of State for Health in four ways. First, we want the introduction of a world-class commissioning pilot in the treatment of those diagnosed positive for HCV. Secondly, we want a good practice model developed for service organisation and delivery as part of a wider reform strategy for the diagnosis and treatment of HCV carriers. Thirdly, we want the Secretary of State to incentivise general practitioner HCV case-finding by inclusion in a quality and outcomes framework. Fourthly, we want the Government to conduct a national audit of GP practice for HCV, based on the model being piloted for cancer referral and diagnosis. Those campaigning on behalf of patients with hepatitis B virus want similar progress made by the Department of Health.

Consultants report that immigration brings in both HBV and HCV—their words, not mine—and they believe that we should be screening new arrivals who will be settling in Britain, not tourists I hasten to add, for both viruses, if not all the hepatitic viruses. Hepatitis B and C are ticking time bombs for the NHS, and in light of the evidence I have presented today, I think my hon. Friend the Minister will agree that we need to review both the diagnosis and treatment of those who could be carrying those viruses. They are readily transmitted, blood-borne viruses, so the more people who carry HCV and HBV, the greater the risk of further transmission, with the inevitable consequences for the NHS.

Mrs. Cryer: In respect of what my hon. Friend said about increased immigration bringing in more of these diseases, is he aware that a few years ago it was drawn to my attention that members of the Muslim community were reluctant to donate organs, which meant greater difficulty in matching organ donors to organ recipients? I was asked by the then district health authority to do a bit of campaigning with my Muslim community to encourage organ donation. Is it still going on or has it been allowed to slip? There is something in the Muslim religion that is a deterrent to organ donation, but apparently it can be got around with a bit of thought and imagination.

Dr. Iddon: I thank my hon. Friend for raising that matter. It is a sensitive subject. I, too, have a large Muslim population in my constituency, as she knows. I have not personally discussed the matter with my Muslim constituents, but as it has been mentioned in the debate, I promise my hon. Friend that I will have such discussions. I am sure that the Minister and his officials have listened to what my hon. Friend has said. I hope that, in relation to what I have said already about organ donation, we can extend that conversation to the whole Muslim population throughout the country.

The prevalence of HBV and HCV and the mortality rate they both cause is now on the same scale as HIV/AIDS, tuberculosis and malaria worldwide, yet there is nowhere near the same level of awareness of viral hepatitis as of those other diseases. Additionally, there does not seem to be the political will to tackle it. A recent survey of Members of Parliament showed that one third of them think that there is a vaccine for hepatitis C when there is not, 44 per cent. do not know that hepatitis C can lead to cancer—yet it can—and half of them have been contacted by a constituent about hepatitis C. I am not blaming or criticising my right hon. or hon. Friends, but if that is the case among Members of Parliament, how can we expect our constituents to be aware of these dreadful diseases? I have also heard that many general practitioners are not fully educated in the facts I have presented to the House today.

In May 2004, a number of organisations associated with liver disease, including the British Liver Trust—a charity—and the British Association for the Study of the Liver published the "National Plan for Liver Services UK", which I am sure that my hon. Friend the Minister or other Ministers in his Department have seen. They published the document in an attempt to persuade the Government to develop a national service framework for this major area of clinical practice. What consideration, if any, has the Minister's Department given to that plan?

In conclusion, I hope that I have demonstrated to right hon. and hon. Members today and to people outside Parliament, including those in the medical profession, that tackling these diseases—liver diseases in general, but particularly the hepatitis diseases I have mentioned—needs to be done much more ferociously; otherwise the ticking time bomb that I have mentioned will explode upon us.

3.1 pm

Sandra Gidley (Romsey) (LD): I thank the hon. Member for Bolton, South-East (Dr. Iddon) for securing the debate. It is a shame that more hon. Members are not here to take part—I do not know whether that is because there are political imperatives elsewhere. The subject is important, but it is often neglected. We rarely hear people talking about liver disease of any type, so it will be interesting to explore some of the reasons for that.

The hon. Gentleman referred a number of times to the document "Hepatitis C: Action Plan For England". I had a little bit of fun while preparing for the debate because I was aware that on 22 February 2007, the Government announced an update to the 2004 action plan. Much to my surprise I could not find that information on the Department of Health website. I asked my researcher to call the Department, which claimed not to have heard of the update. The Minister is looking in a rather worried way at his officials behind him; it would be interesting if he could clarify whether such a document exists. If it does—and I sincerely hope that is the case—does he share my concern that the document is apparently of such low priority that the officials we contacted were fairly clueless regarding its whereabouts?

As the hon. Member for Bolton, South-East said, the scale of liver disease is large. It is the fifth biggest killer in the UK, and the only one of the top five that is on the increase. More depressingly, the UK is the only major developed nation showing an upward trend in the number of deaths from liver disease. I do not know whether it is a help or a hindrance to read out some of the statistics, but I shall do so to reinforce the message about the scale of the problem. Up to 2 million people suffer from chronic liver disease in the UK, and most are unaware of their illness. In the past three decades, deaths from chronic liver disease have increased by eight times in men aged 35 to 44 years and seven times in women. In 2005, as many as 13,000 people died from liver-related conditions in the UK.

If those statistics related to any other illness, it would almost be a national scandal. I find it rather puzzling that relatively little attention is paid to the problem, particularly because it also relates to deprivation, which the Government claim that they want to tackle. I do not disbelieve that they want to deal with the problem, but it is worth considering that, in 2006-07, there were three times more liver-related deaths in the hospitals in the most deprived areas than in those in the least deprived areas. Among 25 to 49-year-olds, there were 10 times as many deaths in the most deprived areas as there were in the least. Therefore, when we consider some of the problems that spearhead primary care trusts are tackling, given obesity is one of the factors that can contribute to liver disease, it is important to get some of these messages across.

I shall concentrate most of my remarks on the more preventable aspects of liver disease. There are three main causes of the preventable type: alcohol, obesity and viral hepatitis. The hon. Gentleman rightly spent much time talking about hepatitis and the incidence of it. He was right to point out that, worldwide, the prevalence of hepatitis B and C in relation to mortality is on the same scale as HIV/AIDS, tuberculosis and malaria. Those working in the TB or malaria field feel that they play second fiddle to the HIV/AIDS debate,

[Sandra Gidley]

but nobody ever mentions liver disease in the same context. There seems to be no political interest in the subject. I do not know whether that is because there is a lack of an effective lobby group or if it is because we do not see large-scale pictures on our TVs of people dying. Perhaps there is a stigma about liver disease, because it is often associated with alcohol abuse. Nevertheless, the issue is something that we need to tackle.

Patient groups have united as the World Hepatitis Alliance and are asking Governments to sign up to something called "12 asks" by 2012—*[Interruption.]*

Mr. Martyn Jones (in the Chair): Order. Would the hon. Lady like a moment to recover from her cough?

Sandra Gidley: Thank you, Mr. Jones. Governments are being asked to sign up to something called "12 asks" by 2012, to recognise the impact of the disease and to commit to adopting measures that address the problem from a public health perspective. The UK Government have not yet signed up. Will the Minister tell us when they are likely to do so?

Despite the action plan on hepatitis C, diagnosis is often delayed. A common problem is that GPs know little about the disease and are poor at diagnosing it. That is probably compounded by the fact that there is a lack of specialist nurses to deal with the condition. The hon. Member for Bolton, South-East mentioned the survey conducted by the all-party group. I will not go into the full details of that, but I am pleased to see that some progress is being made. The most telling fact is that two-thirds of primary care trusts are still falling short on some aspects of provision. Steps to improve hepatitis C prevention, diagnosis and treatment must be a higher priority if we are to tackle the problem successfully.

There are some quite simple things that we could do. None of them on its own will make the problem go away or reduce it dramatically, but they could be useful. One suggestion is that we could test in prisons, because 9 per cent. of prisoners test positive for hepatitis C and 8 per cent. test positive for hepatitis B. If those people can be treated or made aware of their condition, we may be able to do something to reduce future transmission.

The hon. Gentleman mentioned drug usage. Again, there seems to be little effort to work directly with drug users on testing to see whether something can be done. I acknowledge that this is a difficult group to work with, but there are people with expertise in working with drug users who could get the message across to some of them.

I wholeheartedly support the sentiments that have been expressed about increasing the number of organs for donation. I say that not only in relation to liver disease, although liver transplants are a classic example of a procedure that has been shown to work; recipients have gone on to have many years of happy and productive life. Yes, the subject is controversial, but the House has shown in recent days that it does not shy away from tackling difficult issues. Personally, I would prefer an opt-out system, but I appreciate that not everybody shares my view. The comments made about ethnic minority communities were very interesting, because we must work with all sectors of society if we are to benefit them.

Recent estimates show that approximately 326,000 people have hepatitis B. I read somewhere that 85 per cent. of developing countries—I assume that it must have been developing countries because it is hard to believe that that is a global figure—have implemented a universal hepatitis B vaccination campaign. However, the UK operates only a system of selective vaccination for high-risk groups. When the Minister sums up, it would be helpful if he outlined whether the Government's thinking on that has changed. In the past, because new incidences have often been in the immigrant community, the attitude has been that there is no point having a wholesale vaccination programme. Given that the disease is highly infectious and can spread quite rapidly, however, I hope that the situation is under regular review so that the public health impact can be assessed.

The Government are trying to tackle the problem of alcohol misuse, but whichever way one looks at the figures, they are quite a frightening statement about society today. The cost to the NHS of alcohol misuse is £1.7 billion a year. In 2005, 4,160 people died in England and Wales from alcoholic liver disease—a 37 per cent. increase on 1999. The figures for deaths from alcohol-related causes are even starker, with 4,437 people in England alone dying in 1997 and 6,517 dying in 2006.

I recently visited Southampton general hospital and talked to one of the consultant hepatologists. It was fascinating. He said that he could not really show me anything, but that he would just run through his patient list—his work load—for the day, because it was typical of the cases that he was seeing. Compared with 10 years ago, the people on the list were much younger, and there was a higher proportion of women. The other worrying thing was that one person on the list felt that it was pretty much bad luck that she was there at all. She was not a binge drinker and most people—particularly given the drinking patterns in the House of Commons—would not regard her as an alcoholic. This woman simply shared a bottle of wine with her husband every night, and if he is anything like my husband, he will have drunk the lion's share. Like many others, this lady thought that a few units of alcohol were perfectly acceptable, but she is now faced with a problem.

I recognise that the recent Government campaign is all about trying to increase people's awareness of how much they drink. I was looking at consumption figures from Office for National Statistics, which all had to be revised upwards recently. If one looked at the figures year on year, it looked as though there had not been much of an increase in alcohol consumption. However, the ONS suddenly thought, "Hang on a minute. We are all drinking from bigger glasses"—that is just the sort of thing that the Government tried to highlight—"and alcohol has got a bit stronger." When it factored in the increased glass size and the increased strength of what people were drinking, it found that consumption rates had gone up by about 50 per cent., which was quite frightening. Most people are not aware of how much they are drinking. I welcome the Government's campaign, but I hope that it will be backed by the compulsory use of labels showing the number of units in the bottle. I know that there is a voluntary agreement, but it covers only about two thirds of what is on the shop shelves. Compulsory labels would help those who are minded to do something about the problem to decide which wine to drink. They may just choose to drink a lower-alcohol wine because they can drink more of it.

The thorny question of alcohol taxation also arises, although I do not expect the Minister to answer questions on that. Last week, however, I went on a Health Committee visit to Norway, where the cost of wine is astronomical—indeed, the Select Committee drank far less on that visit than on any other I have been on. I do not think that any of us consider ourselves problem drinkers, but if people want proof that pricing can control the problem, our experience in Norway speaks for itself.

A lot of the European evidence shows that increasing tax—there are ways to do that selectively to target problem drinks—has the greatest impact on the behaviour of binge drinkers and those with a chronic drink problem. Such measures are unpopular, but we must consider them in the long run. We must, however, balance that with ensuring that pubs stay viable and do not go out of business. The good old-fashioned English pub provides a useful social function for those who may live alone and who want to meet friends.

The other cause of regret—I hope that this will be tackled later in the Government's campaign on alcohol—is the lack of thrust behind efforts to tackle binge-drinking. To an extent, the problem is cultural: young people seem to think that it is perfectly acceptable to go out on a Saturday night and drink large amounts of alcohol. That seems to be the thing to do here, but such behaviour is just not cool in many other European countries. We have to work hard with our young people to change attitudes. That will not be easy, but we must find ways to tackle the problems if we are not to replicate them in the future. The younger people start drinking, the longer they will drink and the greater the impact on society will be.

I have not said much about obesity, because that is not what the debate is about. However, one of the messages that is not getting across to people is that being overweight increases their chances not only of developing diabetes or heart disease, but of dying much more quickly from another disease. I would also welcome a little more focus on that, perhaps from patient groups. It must be brought to the attention of MPs.

I want to end by saying that having an alcohol problem and liver disease does not necessarily mean the end of the world for everyone. Some people will die, and that is the end of it, but in some cases, if people stop drinking, their liver can recover and they can have many years of life. I have witnessed both outcomes. The problem is that it is extremely difficult to get access to alcohol rehabilitation services. In Southampton, the only alcohol-specific charity closed down. If one visits a drug and alcohol rehab centre, most of the workers will say that drink is a large part of the problem, but that it is much easier to get the funding and to treat people if there is a linked problem as well as the drink problem. If the Government are serious about tackling the issue, they must stop thinking that problems are always drug-related. They must ensure that there are resources for those whose drug of choice is alcohol, which is not regarded as a mainstream drug of abuse.

3.21 pm

Mike Penning (Hemel Hempstead) (Con): I congratulate the hon. Member for Derby, North on his contribution this afternoon, and on stepping into the shoes of the hon. Member for Bolton, South-East. I know the hon. Gentleman fairly well as a good friend of Gibraltar, and can only imagine that he must find his inability to speak the most difficult situation that he has been in for many a year.

Dr. Iddon: I am the Member for Bolton, South-East, and the other hon. Member is my hon. Friend the Member for Derby, North (Mr. Laxton).

Mike Penning: The hon. Gentleman spoke brilliantly today—and I am sure that he is a good friend of Gibraltar as well. I apologise for getting the constituencies mixed up.

The work of the all-party group on hepatology, and its reports, have been very useful not only to the House but also to those who suffer so much. Until I took on my Front Bench responsibility I was lucky enough to chair the all-party group on haemophilia, and would like to join in the call made by the hon. Member for Bolton, South-East for the Government to take seriously the current Archer inquiry, so that we can get to the bottom of the problems that so many people have had, through no fault of their own, because of contaminated blood. I pay tribute to the many groups that have been mentioned, in particular the Hepatitis B Foundation, the Hepatitis C Trust, and the British Liver Trust, which have sent us some excellent briefings. I share the concern that has been expressed that there are not more hon. Members in the Chamber for such an important debate.

The title of the debate encompasses myriad problems that can affect the liver. We heard about many of them, and I shall try to cover as many as possible. The Minister knows that I shall not take a party political line in this debate, but I do not understand the Government's position on immunisation and inoculation, especially with regard to hepatitis B. I was a serviceman for many years and was inoculated, and my wife was an NHS employee for many years, and was also inoculated. It is obviously only in the more advanced parts of the world that inoculation is carried out, and I want to ask the Minister why the Government have not gone down that route. If he cannot answer now, perhaps he can write to us about the exact position.

Time has moved on; I have heard that initially there was concern about immigration, but as we have seen from newspaper figures in the past couple of days, immigration is rising fast, and the issue cannot just be ignored. We must address the question why, when other countries have taken protection against hepatitis B seriously, we do not appear to want to look at the problem. I do not say that it must be done; I am just trying to find out the reason for the situation, because there seems to be pretty good evidence to support taking action. We heard earlier that mutations occur, almost on a daily basis, I think, in the different hepatitis groups, although, as has been said, it is particularly hepatitis C that is affected.

Liver disease as a whole must be taken seriously. As we have heard, 38 people a day die of liver disease in this country. There are many different reasons for that. The liver is a remarkable organ. I am no doctor, although I think there are hon. Members present who are; but the key is that the liver can regenerate. A couple of weeks ago, a surgeon told me that he had removed 80 per cent. of a liver in an operation, and the liver had regenerated. It is a remarkable organ, which can do what most other

[Mike Penning]

organs cannot—repair itself, and regenerate. Bearing that in mind, it is frightening that so many people die of liver disease each day, and so many young people—particularly in relation to alcohol—are seeing consultants.

It is not normal for me to praise the BBC, but it has done some excellent research and produced an interesting report on the topic. It spoke to 115 consultants, 101 of whom responded. Seventy-seven said that they were treating patients under 25 years of age for alcohol problems affecting their liver. That is frightening. I am the father of daughters aged 17 and 19. One of them, who is at Portsmouth as we speak, studying marine biology, is, I think, trying to drink Portsmouth dry. I am told that the Royal Marines have tried to do it for several hundred years and not succeeded.

The Parliamentary Under-Secretary of State for Health (Mr. Ivan Lewis): You should be grateful for that.

Mike Penning: Absolutely; perhaps that will get some sense into her head.

There is a cultural problem with young people. I shall not be a hypocrite. I was in the military at 16, and I freely admit that we went out and had some beers on a regular basis. I stress the word beers. The groups of young people that my daughter goes out with talk quite openly about the fact that they drink before they go out—normally vodka—until they get to the tipping point. Then they go out and enjoy themselves. That can be done, I stress, only because the pubs are open so late. The Minister has heard me say this before, but a mixed message is going out to young people, because we have what is called 24-hour drinking which, although we know it is not 24-hour drinking, is late drinking, and is expensive. If young people can drink cheaply early on they do not spend so much money when they are out. However, they are already half smashed, to be perfectly frank, before they hit the pubs—not the clubs, but the pubs. That is a cultural and educational problem that we must deal with. If we do not address that with young people the NHS will never be able to cope with it.

We talk a lot about obesity problems, and that is quite right. We all need to work on that; I am working on it myself, and am on a sponsored slim as we speak, but it is massively important not to forget one subject while another is the focus of topical debates in the press.

A subject that the hon. Member for Romsey (Sandra Gidley) touched on earlier in the debate was the availability of organs for transplant. I have a particular interest in that, and have been asking questions, because I am worried that we shall begin to debate an opting-out approach to donation before we have found out how many available organs have not been used. As the Minister may be aware, I have asked parliamentary questions about the number of viable human organs available for transplant that are not used.

I recently received information from the East of England strategic health authority, which happens to cover my hospital trust area. It had 22 patients waiting for a liver transplant, but five viable human livers were not used, and were destroyed.

Sandra Gidley: The hon. Gentleman's figures are interesting, but we must be careful how we consider this matter. Clearly, he is aware that we cannot put any old liver into any recipient. A large number of organs need to be available so that appropriate tissue typing can be done, and then those 22 people on the waiting list will be able to receive an organ. It is a shame that some organs are unused, but that is the nature of what is available and what is needed. We have to get that right.

Mike Penning: I thank the hon. Lady for that intervention. I am very aware that we need to match organs with people, so I went further and asked questions about whether that was the problem. We cannot have people saying, "We couldn't find a match quickly enough." The technology exists to keep organs viable for much longer. We just pack them in ice at the moment, which seems a bit archaic in the 21st century. Technology is being piloted at Papworth hospital that will allow us to keep a liver for much longer while we search for a patient whose requirements make them a match for it.

Sandra Gidley *rose—*

Mike Penning: Let me just finish the point. It is not necessarily that we cannot find a match for the organs. Often, the organ deteriorates before we find a match, but the technology exists to assist us in that respect and I want the Minister to address why we are not using it.

Sandra Gidley: I think that the hon. Gentleman has just answered my point. I was going to say that although I understand that what is taking place is a trial it is having good results and there seems to be a reluctance to adopt the technology in the NHS. Is the hon. Gentleman aware whether that was a national decision or whether trusts were just tightening purse strings and not purchasing anything new?

Mike Penning: It appears that other countries have conducted the trials and the technology has been adopted. I am afraid that it has something to do with money. I understand that each unit costs about £10,000, but when we consider the number of organs involved and the fact that the NHS budget is about £110 billion, it is not a huge amount. That technology is a way forward and we must look to such technologies before pushing on to the public the great debate that may need to happen. We must be certain that we are using every organ that is donated. Very difficult decisions are taken when an organ is donated, and we must ensure that we use every viable organ wherever possible. The technology exists. Perhaps we need to consider seriously whether the Government can look at that or whether it is just left to a local trust—of course, we all know about the funding problems in different trusts throughout the country.

Dr. Ian Gibson (Norwich, North) (Lab): I apologise for coming into the Chamber late. I was talking to a reporter from *The Guardian* about articles that we would like to write on myths and cancer. Before people get to the stage of liver transplants, what about picking up the hepatitis viruses that cause the problem? What about developing a vaccine, as has been done in Cuba, to ensure that hepatitis B, for example, is eliminated from the population? Should we not go the way of prevention, rather than looking for livers that are compatible with individuals?

Mike Penning: I completely agree. That issue was discussed earlier, but I understand that the hon. Gentleman is not a mind reader. An important point was raised. I understand from the experts that there are real problems with vaccines for hepatitis C, not least because, as we discussed, it mutates so fast. As a result, it is difficult to develop inoculation. I agree with the hon. Gentleman—we should use medicine before surgical practice wherever possible. I hope that the Minister will comment on that.

Dr. Gibson: I apologise for mentioning something that had been discussed before. I do not know whether it has already been mentioned that about 80 per cent. of liver cancers are compatible with infection by hepatitis viruses. People sit up and take notice when the word "cancer" is mentioned, so I wonder whether the way to make politicians and Parliament sit up and take notice is to point out that the chances of getting a cancer—it may take 10, 20 or 30 years—are much greater in the circumstances that we are discussing. Early development of procedures, vaccines and so on might eliminate many of those cancers, which are viewed as rarer but still take thousands of lives down the line—not tomorrow, but in 10 or 20 years' time.

Mike Penning: Again, I agree that whatever we as politicians and the NHS can do in preventive terms has to be the answer to how we make progress. We have heard about how bad the situation is becoming in terms of people having liver problems, particularly as a result of hepatitis; I will come on to alcoholism and obesity. If we do not address those problems early, the NHS will never be able to cope—not to mention the personal impact on anybody who has cancer. If something is preventable, we should do everything possible to ensure that preventive measures are taken. I am sure that the Minister will agree.

Non-alcoholic fatty liver disease has been mentioned. I was very concerned when I read a report that a consultant from King's College hospital in London had stated that the disease has overtaken alcohol and viral infections as the commonest cause of liver disease in Britain. That is quite a frightening situation, which we as politicians should address. The public do not understand just how dangerous obesity is and how the human body simply cannot take the things that we are doing to it. The liver is one of the only organs that is able to regenerate itself. If consultants today are seeing more people with that disease, which is related to obesity, the Government's programme needs to be much more focused and sharp. We may need to scare the public into realising the dangers that they are exposing themselves to.

I remember vividly that when I was a fireman back in the 1980s in Essex, the first magistrates court put a driver in prison for drink-driving over Christmas. I think it was in 1983, after a huge Government and public campaign to show how dangerous drink-driving was and the effects that it had. Eventually, scare tactics had to be used. We had won the argument with most of the public, but people were still drink-driving—there are still such people today; sadly, we seem to be going in the wrong direction now—who needed to be frightened. They needed to be told that they would lose their licence and go to prison if they continued to drink-drive.

Public campaigns are quite gentle nowadays. We have talked at length with the Food Standards Agency about whether we should have GDAs—guideline daily amounts—a traffic light system or both. The public are an interesting group of people. They will not listen until they think that something affects them. It is important that a public education campaign explains how dangerous—indeed, terminal—obesity can be. The effects in terms of liver disease could be at the forefront of such a campaign.

This is a very important area, but one in which public awareness is limited. I agree with the hon. Member for Norwich, North (Dr. Gibson) that if we talk about other effects of liver disease—in particular, cancer—people might start to listen. That is what the newspapers are interested in today. We also need to start to talk about the damage caused to young people. We need a joined-up Government campaign. The Government need to come together on the different problems caused by liver disease. We cannot just talk about the different forms of hepatitis on their own. We have to talk about the effects of alcohol and of obesity.

People who have done nothing wrong—they perhaps had haemophilia and were given contaminated blood—need to know the truth about what has happened to them. I hope that the Government will listen to the Archer inquiry. I stepped down as chairman of the all-party haemophilia group when it first started, not because I was not interested in the group—I was a member—but because I took up Front-Bench responsibilities and I thought that there was a slight conflict of interest. I did not want to jeopardise the group in that way.

I congratulate the members of the all-party group on hepatology for the work that they are doing. It is an excellent group and produces detailed analysis. It is sad that the Government's action plan is not being addressed, because it is a good one. The Government should ensure that primary care trusts and other organisations throughout the country are implementing the action plan so that we protect all members of the public, not just people who happen to live in a particular postcode and come under a particular PCT.

3.39 pm

The Parliamentary Under-Secretary of State for Health (Mr. Ivan Lewis): I congratulate my hon. Friend the Member for Bolton, South-East (Dr. Iddon) on speaking in such a reflective and sensible way. He has highlighted an issue that frankly needs far more oxygen in order to have an impact on many families and individuals. I also congratulate my hon. Friend the Member for Derby, North (Mr. Laxton) on securing the debate and on his work as chairman of the all-party group on hepatology over a significant period.

It is always good to see my hon. Friend the Member for Norwich, North (Dr. Gibson). He has unique expertise on many of the issues that he brings to the House, particularly from a scientific point of view. The notion of needing to move the health service from a sickness system to a well-being system is at the heart of our vision for a world-class health service. It has been mentioned by the Prime Minister, the Secretary of State and Lord Darzi. When we publish the next stage review and the NHS constitution, we need to move from the rhetoric of moving from sickness to well-being and make it a reality. That must happen not only through our national policies but through the decisions, particularly commissioning decisions, made in every local health economy in every part of the country.

[Mr. Ivan Lewis]

My hon. Friend the Member for Bolton, South-East referred to David Fielding. It is appropriate to remember that these issues involve human beings—we are talking about people's families and their life expectancy—and it is important that we hear stories of hope such as that of David Fielding. Many listening to our debate may be extremely anxious about their future because they have HCV, so it was important to hear about the David Fielding case. It was also right to pay tribute to the courage of the late Anita Roddick. HCV carries a significant stigma, and the fact that a prominent and successful member of society was willing to talk about it was itself a significant contribution. Her family's ongoing commitment to help with the issue is greatly appreciated.

The hon. Member for Romsey (Sandra Gidley) made a sensible contribution. She spoke about the Government's commitment, and that of international institutions, to the notion of a world hepatitis day. If such a proposal comes before a future world health assembly, we will consider it. I raise only a slight caution; I think that all hon. Members are aware of it. With so many days and weeks now focusing on a variety of specific issues, the danger is that the notion will become devalued. We need to think carefully about the idea, but in principle I think that it makes some sense.

The hon. Member for Hemel Hempstead (Mike Penning) made a non-party political, helpful and constructive contribution to the debate. I hope that he does not mind my saying so, but I wonder about the parenting skills involved in lecturing one's daughter about her behaviour during a Westminster Hall debate. None the less, the hon. Gentleman made a serious point about teenagers.

Mike Penning: How old is your daughter?

Mr. Lewis: I do not have a daughter. I have two boys, and I share the serious concern expressed by the hon. Gentleman. It is a major issue.

The hon. Member for Romsey and others spoke about children's and young people's perception of the dangers and risk of alcohol. Although we have concerns about drug abuse—by no means have we won the argument over the danger of drugs; we still have a long way to go—it is almost as if alcohol abuse is fashionable, has cachet, is trendy and is the norm for young people. We have failed to get across the message that if young people drink to excess it could have extremely serious consequences. It could affect their aspirations and the rest of their lives.

The hon. Member for Hemel Hempstead talked of scaring people. That has its place, but there needs to be a connection between explaining to young people why certain behaviour can have a detrimental effect and them seeing it as being relevant to their everyday lives and their future. The way in which we communicate those messages is crucial. If we are seen as a group of bland politicians lecturing the general public about what is in their best interests, we will not necessarily change behaviour. It is incredibly important for the Government to provide leadership on public health and health education, but the way in which we communicate the message has to be sophisticated and based on evidence of what works, and it has to be segmented to reach the different groups.

Mike Penning: I completely agree with the Minister that a bunch of bland politicians is not the answer. The best answer is the sort of support that was given to the all-party group when it first started by people such as George Best. He was a role model and a face—someone that the kids could relate to. Some footballers may be bad role models, but some are good role models and we need to use the good ones to drive this forward.

Mr. Lewis: I agree with the hon. Gentleman. However, we must be careful not to glamorise the issue. We have to be careful when picking role models and celebrities. The late George Best was an important figure, who demonstrated the relationship between his excess drinking and the consequences for his health, and there are others in that position. However, it is important to think carefully about health education and health promotion. We recognise that sending the same messages to different groups does not work. We need to take a sophisticated and segmented approach. I do not speak only of the Government; it is also about society, parents and schools. We have not persuaded a significant number of children and young people that excess alcohol can have a direct impact on their health and life chances. We should therefore seek some consensus on how to tackle these issues more effectively.

Mike Penning: I completely agree that this is not about the Government—any Government—but about getting a consensus with the public in addressing this serious issue.

Mr. Lewis: It is probably outside my portfolio to say so, but never mind. Adults who collude with young people who drink inappropriately should face serious consequences, whether they run off-licences or similar businesses or whether they are older brothers and sisters—or even worse, parents—who sometimes allow children and young people to drink excessively. I have heard of parents of 13, 14 and 15-year-old young people hosting celebrations and parties within the family home, who preside over situations in which it is acceptable for children and young people to drink excessively. The argument is that they are doing so in a protected environment, but what sort of message does it send out? We all have a responsibility for the messages being sent to our children and young people. Equally, our long history of lecturing and hectoring young people is failing. We have to reflect on the most effective ways of getting the message across.

I come now to the substance of the debate. The Government recognise the importance of liver disease as a public health issue, and the need to ensure that we have appropriate services in place to prevent, diagnose and treat its various forms. As we heard, liver disease is the fifth most common cause of death in this country, for both men and women. It is the only one of the big killers for which the mortality rate is steadily rising. The United Kingdom is the only major developed nation with an upward trend in mortality and we need to understand why.

In principle, as my hon. Friend the Member for Bolton, South-East said, liver disease is almost entirely preventable. The Government are concerned about the increasing incidence of and mortality from liver disease. A substantial programme of work is already ongoing to tackle liver disease and its main causes, which have been spoken about at length. They are alcohol, viral hepatitis, and obesity. In addition, as my hon. Friend is aware, we are considering the development of a specific programme of work on liver disease to cover health promotion as well as the full range of health services. To inform those decisions, officials have undertaken preliminary work on a range of things, including commissioning a rapid critical review of existing evidence on liver disease epidemiology, treatment and services; asking an ad-hoc group of experts chaired by Professor Ian Gilmore of the Royal College of Physicians to produce an overview report of clinical issues; and holding a series of informal meetings with key stakeholder individuals and groups.

That preliminary work culminated in a one-day workshop last week that was attended by health service commissioners, clinicians and representatives of patient organisations. The participants were asked to identify and prioritise areas for future action. It will be no surprise to my hon. Friends that the top suggestion was for an action plan or national strategy for liver disease—all contributors to the debate mentioned that.

Dr. Gibson: Does my hon. Friend agree that liver disease as a cancer is part of the reformed cancer strategy? It is sometimes described as a rarer cancer, but, nevertheless, prevention is part of the reformed strategy. It should be inclusive and there should be joined-up thinking about the causes that lead eventually to cancer.

Mr. Lewis: I agree entirely with my hon. Friend. The cancer strategy would be less than effective if we did not recognise the direct links between the two. If we develop a national liver disease strategy, a relationship between those two things would be essential.

We must also consider how such a strategy will fit with the next stage review, which we are working on, and how we can ensure better commissioning generally, throughout the country, of liver services. We are considering those things and will say more about what we intend to do in the near future.

I should like to clarify something that the hon. Member for Romsey said on the national plan for liver disease, because there is clearly some confusion. The 2004 national plan for liver disease was produced by the British Liver Trust and the British Association for the Study of the Liver. It is an important document—it is informing our consideration of a national strategy for liver disease—but it is not a Government or Department of Health document, so we have certainly not updated it, nor are we aware that anybody else has done so.

That clarification is important because I would have shared her concerns had the situation turned out to be as she described. We should be clear on where the plan originated and why it is impossible for the Department to update a plan that is not ours. She may need to speak to her colleagues to find out what specifically they were referring to.

Sandra Gidley: There was a 2004 action plan on the Department of Health website, so I am even more confused now. Perhaps the Minister will get back to me in writing to clarify the matter.

Mr. Lewis: I would be happy to write to the hon. Lady and other hon. Members, but I suspect that the appearance of the plan on the website does not necessarily mean that it was a Department or Government production. I shall seek clarification on the matter.

It is essential that we keep the all-party group informed of our intentions. My ministerial colleagues have a commitment to meet directly with my hon. Friend the Member for Derby, North in the near future, and he will be welcome to bring his colleagues with him to debate the matter.

More generally, we are concerned about the increasing incidence of, and mortality from, alcohol-related liver disease, and we are committed to tackling the problem. Identifying harmful drinkers as early as possible will help to avoid the serious damage that harmful drinking has on the health of the individual. Drinking also has a major impact on the wider community and society. We are all concerned about antisocial behaviour, which is increasingly fuelled by alcohol abuse, in our local communities.

The Department of Health launched only this week a much-expanded, £10 million sustained public health and education campaign to raise general awareness of units and the health risks of drunkenness. There will also be more help for those who want to drink less. A £3.2 million investment will establish a series of intervention and brief advice trailblazer projects in health and criminal justice settings. Those projects will identify people who drink at harmful or potentially harmful levels and offer them help and advice. As we know, there is a direct relationship between people who end up in the criminal justice system and alcohol abuse.

The Government are also investing £650,000 in training which could, within 10 years, produce 60,000 new doctors trained to identify and advise or treat people who are drinking too much. Independent reviews into evidence of the relationship between the pricing and promotion of alcohol and harm, and unit labelling, including advice to women on alcohol and pregnancy, are under way. The reviews will form the basis of a public consultation later in the year and may require legislation in future.

Concern about the number of alcohol-related hospital admissions and the rising trend led the Department to put in place a new national vital signs indicator for the NHS from April to measure change in the rate of alcohol-related hospital admissions. That is the first national commitment to monitor how well the NHS is tackling alcohol-related health harm.

On viral hepatitis, hepatitis B and C are relatively uncommon in this country, with fewer than 0.5 per cent. of the general population being chronically infected with either. We are far below the global prevalence rate for hepatitis B or C of one in 12, as quoted by the World Hepatitis Alliance. That said, we cannot be complacent. The absolute numbers are significant and there are effective ways in which to prevent infection and treat those infected to prevent serious liver disease, as my hon. Friend the Member for Norwich, North pointed out.

In recognition of that, a comprehensive range of measures is in place to prevent and control hepatitis B and C infections, including screening of blood donations and viral inactivation of blood products; immunisation against hepatitis B for groups at increased risk of infection;

[Mr. Ivan Lewis]

antenatal screening for hepatitis B; services to prevent the spread of sexually transmitted infections; harm reduction services for injecting drug users, including needle and syringe exchanges; and drug treatments for chronic hepatitis B and C infection, as recommended by the National Institute for Health and Clinical Excellence.

The hon. Member for Hemel Hempstead referred to immunisation. An expert committee—the joint committee on vaccination and immunisation—is reviewing the hepatitis B immunisation programme to see whether it ought to be altered. Advice on that is expected later this year. He also referred to the problem of obesity. We have a constant struggle to educate and raise awareness among parents and young people on the impact of obesity. We need to look at how to get our message across more effectively than we have been able to do thus far.

Those are some of the new challenges facing the health service. In 60 years of the NHS, we have never been able to stay still because there are new and constant challenges. How can we spot difficulties before they explode and spiral out of control? The fact that we began focusing on obesity from a significant public policy point of view only recently begs some questions of our capacity to anticipate diseases, conditions and challenges far earlier than we do. Intervention and prevention at an earlier stage would be a far more effective way in which to tackle the problems than dealing with them once they become epidemics.

We recognise the importance of liver disease as a major public health issue and we have a range of measures in place to tackle it. However, we are concerned about the increasing incidence of, and mortality from, liver disease. Therefore, we are considering the need for an acceleration of our approach to the issue and the creation of a national strategy. It is difficult if every time we have a problem we reach for a national strategy rather than local solutions. However, the issue is so serious that there is a strong case to be made for a national strategy that influences commissioning and provision decisions at local level.

NATS (Luton)

4 pm

Margaret Moran (Luton, South) (Lab): I am here to talk about the NATS proposals and plans for the airspace over Luton. It is a supreme irony that we are discussing the proposals just after an announcement by the Department for Environment, Food and Rural Affairs, relayed on our local radio, about noise maps for Luton. The noise maps form part of the national ambient noise strategy, which has an EU basis and whose purpose is to consider ways to manage noise issues and effects, including road, rail and air traffic noise, and to make noise reduction proposals as necessary. That is some timing: my constituents are being asked how their lives could be made more tranquil when we are in the middle of the biggest—and, I hope, the noisiest—row about noise and environmental impact that Luton has ever seen.

NATS proposes to change the flight paths over my constituency and swathes of Bedfordshire and Hertfordshire. According to NATS's own estimate, the number of households adversely affected will increase by 111 per cent. under the plans. Let me make it clear that we are not discussing proposals from London Luton airport. I support the airport: it is our major employer, and it brings direct and indirect economic benefits to our town and the region. Like the rest of us, the airport authorities are consultees to the plans. I hope that as good neighbours, they, like my constituents and many colleagues and fellow MPs, will reject the plans. To do otherwise would alienate the local community, which broadly supports the airport, and scupper any good will for growth.

The NATS plans came as a surprise to many. Looking at the proposals, many of my constituents asked how NATS could possibly be mandated to create a detrimental environmental impact on Luton and the surrounding areas. NATS's stated objective is airspace safety, but it also has a requirement to minimise impact on residential areas. NATS itself says:

> "NATS has aimed to position routes to minimise the noise experienced by people and in particular to avoid centring routes over more densely populated areas."

An innocent reading of the NATS leaflet on the Chilterns and Luton suggests that the good folk of my constituency and the surrounding areas will sleep soundly in their beds, in more ways than one. Many in Luton have not been able to lay hands on that leaflet, but it says that the noise preferential routes for Luton

> "would be changed to minimise the population overflown, reduce future delay"

and so on. Nevertheless, buried in its documentation, NATS itself says that the Luton airspace area will be worse off—indeed, it will be one of the areas worst affected by the proposals.

Many of my constituents feel that we have been duped and dumped on, and we demand an alternative. We have been duped because the press releases and leaflets that NATS has issued have been wholly misleading about the impact on my constituents. When NATS launched the proposals in February, it claimed that the new routes would reduce the number of people overflown by 20 per cent. That is not the case. The real impact is a massive shift of aircraft noise from some areas to Luton and the surrounding areas.

Andrew Selous (South-West Bedfordshire) (Con): At a meeting with NATS that I attended on Friday, the very real possibility was mentioned of a hybrid P-RNAV—precision area navigation—route, which would enable NATS to keep its overall big picture and avoid excessive noise over the hon. Lady's constituency and mine. Will she commend that to the Minister as a workable way forward?

Margaret Moran: Indeed, I intend to do so when I explain the problems and the solutions. To say that my constituents have been duped by a sham consultation is an understatement. Meetings have been held with NATS—I am told that it consulted various local authorities, including Luton, in 2000 and 2006—at which the proposals were so unclear that no real response could be given. NATS has proposed no viable option, although, as the hon. Gentleman said, we believe that there is one. No alternatives at all have been proposed for our area, unlike other areas affected by NATS's proposals. There is no mitigation for Luton, even though, according to NATS's own documentation, the proposals are clearly worse for Luton than for any other area in the airspace review.

I was astounded to hear from NATS—a private company—that it does not believe that it needs to consult with those directly affected, namely local residents. It consults only with its key stakeholders, relying on councils to do the other consultation for it. Why should the poor council tax payer take on that burden? Some councils have done so, some have not, and some do not have the capacity. As a result of that and the misleading leaflets, my constituents, particularly in Luton itself, have been blissfully unaware of the potentially devastating impact on their lives. They could be sleepwalking into a nightmare.

The consultation has been misleading. It has signally failed to inform residents and thus to encourage responses from them. If they did not receive this hefty tome—none of my local residents did—or if they could not translate it, as it was so complex that even London Luton airport had to get an expert consultant to decipher it, the only way that they could possibly know about the impact of the proposals is by scouring the NATS website, assuming they have a computer. My hard-working constituents do not spend their days scouring the NATS website. We have not been properly consulted.

Even an especially keen constituent who got through all that and asked for the sound exposure levels would have to ask for that document separately. It says that the noise levels over the centre of Luton will be more than 80 dB. I am told that that is as high as in a noisy factory, where an employer would be legally required to provide hearing safety equipment. The areas in Luton nearest to departure and landing areas will be overflown at 90 to 1,000 dB, which is so loud that it is off even the scale that NATS uses in its document. By its own admission, NATS's proposals disadvantage Luton and the surrounding areas.

It has not escaped our attention that the proposals look dangerously familiar. They are very similar to those put forward a few years ago, which would have taken much of the air traffic over the Harpenden and St. Albans area and routed it across Luton and the surrounding areas. We successfully fought off those proposals, but when I questioned NATS representatives about the consultation, they told me proudly, "Oh yes, we pre-consulted with certain councils, and as a result of that consultation"—pointing to the map—"we amended our proposals to take traffic away from St. Albans, Harpenden and Wheathampstead and move it over to Luton." They pointed out the difference between what they had proposed to consult on and what they have proposed to us today. That is the nub of the issue. We are being dumped on by our neighbours. As a result of the pre-consultation, NATS has listened to some areas and not others.

In my constituency, the villages of Caddington, Slip End, Woodside and Aley Green will bear the brunt of increased aircraft noise if the changes are approved, and large swathes of the top, south and centre of Luton will be hugely affected. Some 70 per cent. of all the flights from the western end of the runway will be diverted over the rooftops of south Luton and closer to those villages.

The number of people suffering high noise levels around the airport will increase from 3,000 in 2006 to 10,000 when the new routes are introduced. As NATS itself agreed, none of that takes any account of further airport expansions in any of our surrounding areas. All of the assumptions are untested; the impact could be even more detrimental, because by its own account NATS has used a set of assumptions to change flight paths that cannot be assessed properly until after any airspace changes have been implemented. An addendum to the main document shows that 18,000 people will continue to be overflown by departures from Luton, to whom will be added a further 50,000. The day noise contour is about 57 dB, but no night flight noise contours have been given, although NATS has confirmed that there will be an increase in night flights.

All of that poses one question, to which I received no serious answer in the meeting that I held with NATS, which many of my fellow MPs from Bedfordshire and Hertfordshire attended. How, with these proposals, is NATS meeting its requirement to minimise the impact on residential areas, when it is shifting the impact, especially on the westerly departure route, from non-residential to residential areas? How is it meeting the Government's requirements under the Transport Act 2000 to minimise the impact on residential areas? Clearly, there is no point in NATS telling me, as it did, that it will consider the overall regional impact but cannot provide a proper assessment for Luton and the surrounding areas, which are so densely populated. We are talking not just about decibels, but about people's lives being turned upside down.

We need answers to some key questions: what is the point of making the changes now, when new runways at Stansted and Heathrow are currently under consideration, which means that the proposals will have to be changed again? If Brookmans Park is the bottleneck, which NATS says it is, why not just change flight paths affecting that location? If new routes are required to show the environmental benefits resulting from the change, why is the replacement westerly departure route to be implemented, when it is actually far worse than the existing route that it will replace? If the proposals go ahead, does NATS realise that Luton airport will be under significant pressure to close at night, which would reduce capacity by 10 per cent., thus negating the main aim of the changes, which is to increase capacity?

[Margaret Moran]

In my constituency, at least seven schools will be affected by the proposals, including our new academy, which is currently under the flight path and will be rebuilt as a brand new facility even further under it. Children at schools in the Farley and South area will have their learning affected by high decibel levels, with all the implications for their education.

Although it is argued that the proposed routes will create no additional air pollution—even though some of the new flight paths are significantly longer than the existing ones—the proposed routes will move pollution over people who do not suffer from it at the moment. Why?

Furthermore, having identified a problem at Luton, why did NATS not investigate the consequences of its proposals on night sleep disturbance? It could have done so. The sound exposure level contours were provided after the main consultation, and the populations under them could have been calculated, but NATS chose not to do so.

Let us consider the wider implications. The World Health Organisation has recommended a 60 dB external maximum noise level to avoid sleep disturbance. The 80 dB contour area, proposed here for the noisiest aircraft at Luton, is huge, and the approximately 70 dB contour is itself 10 dB noisier than the recommended level and twice as loud as the world health limit. As the WHO said, the health of populations cannot be guaranteed when noise exceeds 55 dB. And this in an area that already has some of the worst health deprivation, certainly regionally, if not in the UK. How can NATS and the Civil Aviation Authority justify the proposals, if the plans, as we have identified, are likely to affect 30,000 people in Luton and the surrounding areas at night?

We are one of the Government's growth areas, so the proposals will impact on Government policy on development. We are regenerating Luton: the massive public and private sector regeneration in the town is estimated to exceed £10 billion by 2030. Frankly, Luton, which is a good place to live and work—that is how we try to promote it—will be blighted by the proposals, as people in our town centre, university and major companies will all find that the quality of their life and work is adversely affected. Of course, none of that was taken into account by NATS.

As the hon. Member for South-West Bedfordshire (Andrew Selous) indicated, however, there is an alternative—it is a modest ask—that NATS itself says is viable. However, it was not included in its consultation document. That compromise will allow the retention of the existing westerly departure route, which will mean that the impact will be broadly the same as before the proposals, and less damaging to my constituents in the surrounding areas.

We are told that the main constraint to the proposals is that the new technology—P-RNAV—does not allow any turns to be made until the craft is at least one mile from the end of the runway, which means that P-RNAV cannot be used on the existing route immediately west of the airport. However, NATS representatives confirmed, both at the meeting to which the hon. Gentleman referred and subsequently, that it is possible to design a hybrid situation under which P-RNAV comes into operation two to three miles from the airport, thus allowing the existing system and noise preferential route to be followed for departures and arrivals.

There is no doubt that the current dispersal of aircraft within the current NPR is better for the local residents most affected than a concentration along the proposed new route would be. The highest concentration of residential properties is within the first mile at Luton, which should represent sufficient grounds for NATS to reconsider its proposals. NATS said that it would discuss that alternative with the CAA, but in case the latter needs reminding, it too has strong environmental requirements laid on it by Government under section 70 of the Transport Act.

I believe that my constituents, and many others in the surrounding areas, have been duped by the proposals and dumped on. We are now demanding that the CAA accepts the alternative, viable proposal, which will do what both NATS and the CAA are charged with doing by the Government and what the present plans patently do not do—namely, minimise the impact on Luton and the surrounding areas.

4.18 pm

The Parliamentary Under-Secretary of State for Transport (Mr. Tom Harris): I begin by apologising for the absence of the Under-Secretary of State for Transport, my hon. Friend the Member for Poplar and Canning Town (Jim Fitzpatrick), but important ministerial business has kept him away from the Chamber today. If, because I do not possess his level of expertise in this area, I cannot answer any of the points raised by my hon. Friend Member for Luton, South (Margaret Moran), I assure her that they will be answered in due course in correspondence. I hope that she accepts that.

As well as congratulating my hon. Friend on securing this debate, I compliment her on the way in which she made her case. Clearly she feels extremely strongly about this issue. If she makes her arguments as eloquently and passionately in her response to the consultation exercise launched by NATS, it will be difficult for NATS not to take into account her reservations and the points that she rightly makes.

Before responding to my hon. Friend's specific points, I shall begin by restating that the Government's commitment to sustaining economic growth and protecting the environment is at the heart of the Department for Transport's aviation policy-making process, but a balance needs to be struck. As she rightly said, we need to tackle the environmental challenges, recognise the value of aviation in enabling people to take advantage of business and leisure opportunities and allow the industry to compete internationally. The role of any decision maker on airspace changes is to find the right balance.

I turn now to NATS' terminal control north airspace change proposal. I must make it clear from the outset that that proposal is still subject to consultation under the CAA's independent airspace change process. I understand my hon. Friend's anger and that of the hon. Member for South-West Bedfordshire (Andrew Selous). My hon. Friend feels that she has been duped. She also asked if it was a case of whether NATS goes ahead with the proposals. She was right to ask that question, because a consultation exercise is under way and no final decisions have been made. I therefore do not believe that she is justified in feeling duped. The consultation exercise has been extended to 19 June.

My hon. Friend asked how the CAA can justify the proposals, but the CAA is not expected to justify the proposals, because the consultation is still going on.

Margaret Moran: I urge the Minister to look at the literature submitted by NATS, which suggests that the proposal offers a distinct advantage to the residents of Luton and its surrounding area. However, when one reads NATS' own documentation, that is patently not the case. To me, that is duplicitous.

Mr. Harris: My hon. Friend's comments are now on the record, and I am sure that they will be noted by the relevant parties.

As part of the regulatory process, the CAA may consider seeking the Secretary of State's views on the environmental aspects of the proposal and then her approval for any change. Therefore, it would be premature and inappropriate of me to comment on the specifics of the proposal while it is still subject to the rigours of the independent airspace change process. That said, it might be helpful if I give some background on the proposals and the current consultation, and explain the procedures by which changes to UK airspace are made.

As my hon. Friend will be aware, NATS launched a 13-week consultation on the proposed terminal control north airspace change on 21 February. This area of airspace is one of the most complex in the world, with routes in and out of many major airports, including Heathrow, Stansted, Luton and London City, as well as smaller airports such as Southend and RAF Northolt. The current airspace infrastructure has accommodated growth at those airports over the past 20 years, but increasing traffic has led to congestion in the airways, resulting in delays and extra fuel burn, which impacts on the environment.

The proposed changes are designed to reduce delay while maintaining safety and improving environmental performance. I must stress here that the proposal is not associated with, and does not assume, any future development at Heathrow, Stansted or any other airport. It represents business as usual for NATS which, under the terms of its operating licence, is obliged to make the most efficient overall use of airspace and to meet reasonable levels of overall demand. To meet that requirement, it constantly reviews its airspace management, including procedures and applications of technology, and makes proposals for airspace changes where it believes they are necessary.

NATS' consultation on the terminal control north airspace change proposal is the largest of its kind to be undertaken. The affected region has a population of 12.6 million people. As my hon. Friend pointed out, NATS is directly consulting more than 3,000 primary stakeholders, including MPs, county councils, borough councils, district councils, parish councils, environmental organisations, chambers of commerce, business organisations and aviation stakeholders.

Andrew Selous: At a meeting on Friday, NATS was gracious enough to concede that it had consulted Bedfordshire county council and South Bedfordshire district council on a route other than the one that it is now proposing.

Mr. Harris: I have every confidence that the hon. Gentleman will be able to pursue that in his own way. I do not want to be drawn into the rights and wrongs of how this particular consultation is taking place, lest the Government be accused of trying to influence it in some inappropriate way. I hope that he will understand that. His point, though, is clearly on the record.

Furthermore, in the run-up to the launch of the consultation, NATS arranged briefings for local MPs and national and regional media to set out the proposals and explain their likely impacts. To make the information more accessible for the general public, NATS has divided the consultation region into five areas. Consultation materials for each area have been colour coded to make it as easy as possible for people to locate the information directly relevant to their own location. The materials include a consultation document, an information DVD, summary leaflets for each of the five areas and a dedicated website.

My hon. Friend has concerns about the level of technical detail in the consultation document and supporting materials. I am sure that she agrees that it is appropriate that such information is made widely available to allow all parties to formulate their opinions on the proposal. In response to concerns expressed by some primary stakeholders and members of the public that there was not enough time for them to consider the details of the proposals, NATS recently announced that it would extend the consultation period by a further four weeks. Therefore the consultation, which opened on 21 February and had been due to end tomorrow, will now close on 19 June, giving interested parties and local residents a total of 17 weeks to consider the proposals and register their views.

I think that it might be helpful if I now say something about the procedure for making changes to airspace in the UK. Planning and regulation of all UK airspace is the responsibility of the independent aviation regulator, the CAA. The CAA must manage the airspace to meet the needs of all users, having regard to national security, economic and environmental factors, while maintaining a high standard of safety. The process for making changes to airspace is governed by the CAA's airspace change process, known as CAP 725. Following review and consultation, a revised version of CAP 725 was published in March 2007.

The new guidance clarifies the roles and responsibilities of an airspace change sponsor, such as NATS, and those of the independent regulator, the CAA. It also provides significant detail on the activities of a consultation exercise, including what impacts are to be taken into account, how they should be measured and who should be consulted. A change sponsor is responsible for developing and consulting on a proposal for an airspace change, ensuring that it satisfies and/or enhances safety standards, improves capacity, and mitigates, as far as is practicable, any environmental impacts in line with the Department's environmental guidance to the CAA.

Informed by the consultation, the airspace change sponsor must then submit its proposal to the CAA. The CAA then assesses the formal proposal against regulatory requirements, including environmental objectives. The CAA will then either approve or reject the proposal. If the CAA considers that a proposal might have a significant detrimental effect on the environment, it is required to advise the Secretary of State for Transport of the likely impact. It must also advise of plans to minimise that impact and to refrain for making the airspace change without first securing the approval of the Secretary of State. To put it clearly, airspace changes are only made

[Mr. Tom Harris]

when it is clear, after consultation, that an overall environmental benefit will accrue or when the airspace management considerations and the overriding need for safety allow for no practical alternative.

My hon. Friend raised the valid issue of aircraft noise. Let me assure her that I recognise that, at local level, noise is a significant concern. That is why the CAA's revised guidance on the airspace change process includes substantive guidance on a range of environmental requirements, including noise, air quality, tranquillity and visual intrusion. Furthermore, the guidance states that airspace changes should aim to introduce modified routes that overfly as few people as possible. However, I am sure that my hon. Friend will appreciate that the development of UK airspace has to take place within a number of immobile constraints, such as the geographic location of airports. For that reason, it would be impractical to prevent altogether overflying of populated areas, including schools.

Andrew Selous: I wonder whether the Minister could ask his colleague, the Under-Secretary of State for Transport, the hon. Member for Poplar and Canning Town (Jim Fitzpatrick), to write to the hon. Member for Luton, South (Margaret Moran) and myself to say whether there is any objection to aircraft flight paths going over a wider area, so that the same people do not have constant noise all the time. Do the Government have any objection in principle to that? Will he get his colleague to write to the hon. Lady and me?

Mr. Harris: I am sure that my hon. Friend the Minister will write to the hon. Gentleman and my hon. Friend in due course.

In closing, I repeat that I cannot comment on the terminal control north airspace change proposals while they remain subject to consultation under the independent airspace change process. I therefore urge my hon. Friend, the hon. Gentleman and all other interested parties to register their views with NATS, the sponsor of the change, by responding to the ongoing consultation which, as I have said, will now remain open until 19 June. Once again, I congratulate my hon. Friend on the campaign that she has run and on her clear concern for her constituents and their quality of life.

Rail Network

4.29 pm

Dr. John Pugh (Southport) (LD): I am pleased that the Under-Secretary of State for Transport, the hon. Member for Glasgow, South (Mr. Harris), will respond to this debate because he understands railways very well; he is enthusiastic about them and has been in his post longer than most of his predecessors.

There was an age of the anorak when bewhiskered men met over pints of mild in pubs to discuss schemes for reinvigorating the railways to pre-Beeching days, while comparing timetables with one another. Many schemes were thought up, many were impractical and some were doable, but in those days there was widespread frank indifference and scepticism at the Department for Transport. At the time, there were severe problems with the railways. Network Rail—Railtrack as it then was—had substantial financial problems and was more concerned with managing its property portfolio than the railways, which led to its ultimate demise.

I was a member of the Select Committee on Transport and I remember how preoccupied we were in those days with the problem of financial overshoots and the difficulties surrounding the railways as they were, without considering how they might be or how we could progress. To be fair, the Government were coming to terms with the after-effects of railway privatisation—the fragmentation of the system, running franchises, ensuring that the public interest was protected and so on. They were genuinely worried, as was the Treasury, about financial overshoots in the industry—in those days they were an horrific and appreciable headache. When the current Chancellor was Secretary of State for Transport, he talked about cutting down the railways and not transporting fresh air around the country. The perspective taken on the railways in those days—the age of the anorak—was negative.

That was replaced by what I can only describe as an age of relative optimism. When I first came into Parliament, I had many conversations with Network Rail, which told me insistently that its sole job was to run the railways as they stood, according to the Government's specifications. Subsequently, the organisation started to be more positive, and to talk about growth fund, expansion and increased capacity. It started to talk proactively about what the railways might be, rather than what they were at the time.

That was against a background of capacity problems. It was obvious that having been a financial black hole, the railways were becoming a significant success, but capacity problems arose because, whether due to the difficulty of getting around in cars or whatever, it was clear that more people wanted to use the railways and the infrastructure and stock were not coping well, so overcrowding became an issue. At the same time, it was evident that profitability was up, along with ridership. Crucially, confidence was also up; there was substantial confidence in the railway system and what it could be compared with what it had been.

At around the same time, I remember attending meetings in this place and elsewhere when people talked in heady ways about what could be done to increase capacity in the railway system. I attended a conference with the Minister where Christian Woolmer and the usual folk from *Transport Times* made bullish and positive noises about what could and should happen. Clearly, there was and still is a degree of private financial interest in the railways. Firms such as the Kilbride Group and so on sensed that the railways could be a financial winner rather than a financial loser, and both the Government and the private sector started to look forward rather than backwards, or simply at maintaining the existing infrastructure and railway system.

A number of positive ideas came from that. Some were relatively modest—for example, ways of increasing capacity without involving major new investment. There was talk about increasing capacity by doing simple things such as lengthening platforms and having better interchanges so that people would find the railways genuinely more useful, particularly if they also used other modes of transport. There was also talk about increasing rolling stock, having new and longer trains, and so on. Quite simple things were thought to be a way of dealing with capacity without great financial significance; for example, better timetabling so that trains would be more convenient and the timetables for various franchises would dovetail beneficially.

I have heard, but not seen, that the devolved Administration in Scotland is planning to build new lines or to reopen old lines that have lain fallow. Rail schemes have started to appear in regional transport plans. When regional transport forums were set up, it was uncertain whether transport plans involving rail were within their remit, but some introduced them and were not discouraged by the Department for Transport. Merseyside in Lancashire, where I live, was delighted that schemes such as the Olive Mount Cord were reinstated, because it was long overdue. Quite ambitious projects, such as Crossrail—I suffered it in the sense of having been on the Committee for longer than I can account for—went ahead, which was a good sign of confidence and optimism, although we have yet to see Crossrail. At the same time, rail utilisation strategies emerged. They are an invitation for Network Rail and its partners to take a long view of the railways and to think about how we can use them better and make them genuinely more useful for the travelling public.

However, in reality and despite all the optimism, adjustments, variations and minor developments, many good schemes are stuck in the sidings, and there has been little real progress in extending the network. Some schemes have a sound commercial basis, indicating that we can add substantially to network functionality and give people additional reasons for using the railways. I have thought long and hard about why that is so. Part of my explanation, but perhaps not the complete explanation, is that there is no method for progressing good schemes that would enlarge and extend the railway network.

I was a member of the Standing Committee that considered the Railways Act 2005, when the right hon. Member for Harrow, East (Mr. McNulty), now the Minister for Security, Counter-Terrorism, Crime and Policing, made two comments that have stuck in my mind to this day. He said—although I have never had any further intimation of this—that the Department for Transport was investigating small-scale railway schemes that might or might not be of use to the railway network as a whole, but that had been cashiered by Beeching and afterwards. He said that research was being conducted, but I do not know whether it has seen the light of day, and I have certainly not seen it. That was intriguing, because I was interested in one such scheme.

Another point made by the right hon. Gentleman stuck in my mind because it seemed so counter-intuitive. We were dealing with a number of clauses covering the closure of railway lines. There were at least 20 clauses on how to do that, and on the procedures that had to be followed. In my innocence, I asked why there were no clauses about how to reopen a railway line, which must be equally problematic. I do not know whether the right hon. Gentleman was just being sardonic, as he is often inclined to be, or just saying what he thought, but he answered, "Well, the reason why we don't have such a clause is because everybody knows how to do it. It is all very straightforward." I think that *Hansard* will verify that he said something very like that.

I thought to myself that that had not been my experience. It appeared to me that a new railway scheme designed to extend existing services, rather than merely complement them, needed the compliance and support of a number of crucial partners. For example, it needs a fair wind from the local councils. It must fit in with their strategic plans and transport interests. It needs the co-operation, endorsement, imprimatur and research capacity of Network Rail, which is the only body that can say how much the scheme will cost. It needs a compliant and helpful set of signals—not railway signals—from the operator of the franchise in the area in question, which has to say that there is a solid and decent commercial case for the proposal.

Such a scheme needs to be embedded somewhere in regional transport plans. We all know that these days if something is not in a strategic plan, it generally does not happen. Regional transport forums progress schemes at an almost glacial pace, but if we want a scheme to succeed it is better in the plan than not.

A scheme needs the co-operation of local transport authorities, which sometimes have cross-boundary disputes. A relatively ambitious scheme might cross the boundaries of more than one local transport authority, and they have to be singing from the same song sheet. The scheme that I shall briefly mention later needs the co-operation of both Lancashire and Merseyside.

A scheme needs the carriage providers—the rolling stock leasing companies—to provide the assurance that stock of the right kind can be provided without appreciable additional running costs. Above all, it needs the support and endorsement of the Department, which is sometimes lacking. I once described the process as being like knitting fog, and I do not renege on that. A scheme needs, and in many cases fundamentally lacks, a leader and driver of change. For something new to be established, there has to be somebody with a direct interest in pushing it forward and uniting the disparate partners who need to co-operate.

I can illustrate that point with reference to my pet scheme. I am sure that many Members have pet schemes, and I suppose that if this were a one-and-a-half-hour debate, they would be here to speak up for them. Mine is called the Burscough curves, and is outside my constituency but has an impact on it. As far as I can see, it is self-evidently doable. It has been discussed with about 20 Transport Ministers over the years, but I and most people in the area still believe that it is deliverable.

In essence, the scheme involves uniting two stations that are in the same town and separated by about a quarter of a mile. The town is growing and becoming more prosperous, and it is an important part of both the Merseyside and Preston commuter belts. The scheme

[Dr. John Pugh]

would join the Lancashire and Merseyside rail systems. Putting the curves in would have the real benefit not just of establishing better communication between two stations in one town but of joining two networks that are otherwise severed. There would be a link from one of the stations in Burscough to Southport, joining up the disparate spokes of the Merseyside electrical system, which is quite distinctive, being a third-rail system.

It is not my finding but that of Network Rail in its rail utilisation strategy that the scheme would dramatically increase the utility and use of the Preston-Ormskirk line, which is not overused. My constituency interest is that it would support access to Southport, because transport links are crucial to the prosperity of the Southport economy. It would reduce commuter flow to Liverpool by car and resolve the demonstrably poor linkage between the Preston and Liverpool city regions. Everyone agrees that there are a lot of good things about it.

In its rail utilisation strategy, Network Rail identified a clear gap in provision from Southport to Preston and to Ormskirk. In the local transport plan, Merseytravel has identified the need to link Liverpool, particularly its northern suburbs, with Preston and the central Lancashire city region. The Lancashire local transport plan identifies the need for a direct link from Preston to Southport, and in a recent consultation Sefton council identified those links as critical to the future of Southport as a retail, tourist and service centre.

However, the scheme is not happening. That cannot just be because of the cost, which would be £12 million at most. By the calculation of many people, not just of the anorak persuasion but those with hard commercial heads, there would be a 10 per cent. return on investment, which is well within the Department's accepted figure. It cannot be lack of research, because plenty is being done. It might be because of cross-boundary issues and the lack of a single champion, or it might be because of other schemes that Merseytravel has cooking at the moment, such as the Kirkby to Headbolt lane and the Bidston to Wrexham connections. Those schemes are turning out to be more costly than we thought.

However, the reason why the scheme is not happening might be that the Department—not the Minister—needs to take a degree of ownership of such schemes and promote and encourage them. I am well aware that the unseen hand of the Department reaches over railway affairs on quite a local basis. I know that at times it appears to be hands-off, but its grip on the west coast main line, including in the reordering of stock, is well testified to, as I hear from the operating companies. Its involvement in the northern franchise, which comes from my constituency, is also a known fact. We were expecting new carriages rather earlier than we shall get them, which I understand is because the Department intervened to suggest that the new stock would be better sent elsewhere. I do not want to make any enemies, but the Department's influence may be more pervasive than it might own up to.

I understand the Department's anxieties and the squeeze on Government capital, and I understand such things as the high cost of signalling and the fear of cost overruns, although I point out that the Public Accounts Committee recently established that cost overruns are not unique to the railway sphere. They are just as evident in relation to roads. However, like other schemes, the one that I mentioned has a business case, the support of all the relevant partners and the prospect of increased functionality, more passengers, environmental gains and so on. If it still does not happen, something is going wrong and I would like to know what.

I know that we have community rail partnerships, with stations being prettied up, smiling volunteers and nice brochures. I am glad to see those brochures; I read them and enjoy them. However, the acid test of the new optimism, if it is still about, is that we get new or reinstated track, increased utility and more cars left at home. With all due respect to the Minister and the Department, we cannot point to that at present.

4.49 pm

The Parliamentary Under-Secretary of State for Transport (Mr. Tom Harris): I begin, perhaps unusually, by congratulating you, Mr. Jones, on being able to stay in the Chair so long in this stifling heat. I wonder whether it is some kind of dastardly plan by Government and Opposition Whips to encourage Members not to be here but to be in Crewe instead. However, we will struggle on. I also congratulate the hon. Member for Southport (Dr. Pugh) on securing this debate. Such debates are very important for the rail industry, and it is the kind of debate that I enjoy. Despite the heat, I am glad to be here.

However, I begin by disagreeing with something that the hon. Gentleman said at the beginning of his comments. I assure him that the future of the railways is still the subject of intense discussion by men with beards and glasses of real ale, as much as it was in the pre-Beeching days, but perhaps with less effect. I am delighted that he acknowledges, albeit with some reservations, that the British railway system is a successful enterprise, in stark contrast with previous years. I thank him for his generally positive analysis. He reminded us that he was a member of the Crossrail Bill Committee. I should have known that, of course, by his pallor after having been hidden away for 21 months looking at the Bill. The House and the Government are grateful to all the Members who served on the Committee. He mentioned that every MP has a pet scheme, and mine is Crossrail.

The majority of the hon. Gentleman's comments focused on the lack of reopening of new lines, and I want to address that before I come to my prepared comments. He takes a positive and genuine interest in the railways, and I know that he will be familiar with the White Paper that was published last July, "Towards a sustainable railway". We made it clear in that publication that although we want to grow the railways—they are growing—we did not anticipate the opening of new lines in any kind of planned way at all.

The reasoning behind that is sound, and I have said this to the hon. Member for Lewes (Norman Baker) who speaks on transport for the Liberal Democrats. On one level, the opening of a line, of itself, creates no extra capacity unless there are train carriages to operate on it. The priority of the high level output specification that formed part of the White Paper is a massive step change in capacity on our railways; namely, the 1,300 new carriages that we are committed to procuring through the franchise process between 2009 and 2014. In essence, those carriages are already spoken for.

The hon. Gentleman referred to the allocation for Northern Rail, and I shall return to that later. A new railway line would not have any extra carriages if the carriages are already spoken for, so it is far too simplistic to say that growing the railway network in that way would result in any major benefit in terms of capacity to hard-pressed—literally, in many cases—commuters.

The hon. Gentleman said that there is no real method for progressing schemes. He may not remember this, but, as a Back Bencher, I too was a member of the Standing Committee that looked at the Railways Bill, which later became the Railways Act 2005. My right hon. Friend the Minister for Security, Counter-Terrorism, Crime and Policing was the Transport Minister in charge. I remember the exchange to which the hon. Gentleman referred, when he asked my right hon. Friend about the clauses for closing railways and noted the absence of any for reopening lines.

That is an entirely valid point to make, but I think, having been in this post for nearly two years and having seen for myself some of the processes that exist—in some cases, as a result of the 2005 Act—that processes for reopening lines do exist, although they are not particularly transparent and obvious. The fact that no authority or investor has taken up the challenge so far is less down to the lack of process and more down to the fact that no private company in partnership with the local sponsoring authority has yet been able to come up with a business case robust enough to justify the fairly significant levels of investment that would be required for such schemes.

The hon. Gentleman said that several schemes have had a robust business case attached to them, but it is not enough for there to be a robust business case attached to the construction of a new piece of track. That alone is not enough to justify the investment. What also has to be considered is which train operating company will provide services on the new piece of track, and whether those services will require extra public subsidy. The public subsidy that is almost always required in such circumstances must be taken into account in drawing up a cost-benefit ratio for any particular scheme.

I will tell the hon. Gentleman what I told a group of people who came to see me in my office a few months ago. They were campaigning in conjunction with the hon. Member for Lewes for the reopening of the Lewes-Uckfield line in the south of England near Brighton. Basically, they proposed a public-private partnership deal that would mean, in essence, that the Department for Transport would not have to put its hand in its pocket for the capital costs or for revenue costs following resumption of services on the line. I said to them that if they made the figures stack up, if they were willing to put in the investment, and if they could produce a business case that justified their optimism, I would consider that a step forward. I would certainly not stand in the way of such a scheme. At this stage, I have not seen evidence that sufficient progress has been made on that line, although I understand that more work is being done as we speak.

The Government and the Department have no vested interest in standing in the way of such schemes. It is only right and just that we point out that if public money is to be called on to sustain new services on a new line, we have the right and the duty to say that it can be spent only if it will actually produce value for money.

The hon. Gentleman made some points about Northern Rail. He is right, of course: the Department does not claim to be a hidden hand in the railway industry. I am careful to point out that the Department does not write timetables, although we are often accused of doing so, and that we certainly do not specify what type of rolling stock individual franchises must use, except in very unusual circumstances where there is a changeover of franchise, but that, nevertheless, there is a role for it in the management of franchises. The Department has officials whose responsibility is the oversight of individual franchises. That is necessary, and I am sure that the hon. Gentleman would not criticise it. Given the levels of public money involved in the franchises, it would be odd not to have that oversight.

However, I can tell the hon. Gentleman that, aside from the fact that Northern Rail receives £1 million of subsidy every day of the year and therefore is the recipient of the largest amount of subsidy of any of the rail franchises, it is also due to receive 182 new carriages from the high level output specification commitment. I would be interested to know how he divined the information that there was an intention to offer new carriages to Northern Rail but that subsequently a decision was make to revoke the offer, because my understanding is that Northern Rail actually does particularly well in terms of the number of carriages going to it. As far as I can remember, and off the top of my head, it certainly does better than the majority of the franchises, as it is, one of the largest in terms of train movements.

Dr. Pugh: I thank the Minister for that information. In fact, my informant, who fairly clearly worked out the figures, is the supplier of the carriages. However, to revert to a previous point the Minister made, I believe that everybody, anoraks included, accepts that a business case must be made. However, looking in from the outside, there is a sort of opaqueness as to what a business case sometimes needs to look like to satisfy the Department. One gets the sense from time to time—perhaps it is wrong—that the goalposts move, and that the hurdles that any scheme, even those not requiring subsidy, needs to get over are significantly higher every time it looks as though something might be done.

Mr. Harris: That is a valid point. I know that there is a lack of clarity, and a lack of confidence among many sponsoring authorities about what they actually need to produce in a business case. Let me make this offer: officials in the Department are willing to offer advice to any sponsors who need essential information about what needs to be included in a business case.

I reject the accusation that we have not grown the railway. More people are using the railway today than at any point in the history of the railway, outside wartime. That is a huge achievement of this Government—

It being Five o'clock, the motion for the Adjournment of the sitting lapsed, without Question put.

Westminster Hall

Thursday 22 May 2008

[MR. ERIC ILLSLEY *in the Chair*]

Gypsies and Travellers

Motion made, and Question proposed, That the sitting be now adjourned.—*[Alison Seabeck.]*

2.30 pm

The Parliamentary Under-Secretary of State for Communities and Local Government (Mr. Iain Wright): It is good to see you in the Chair once again, Mr. Illsley, and to serve under your chairmanship. I am grateful to Mr. Speaker for granting this important debate this afternoon. It gives me the opportunity to reflect on the progress that the Government have made in continuing our commitment to providing decent homes for those who need them. Through that commitment, we aim to ensure that Gypsies and Travellers, who are perhaps the most socially excluded ethnic minority group in the country, have an authorised and secure place in which to live.

I would like to thank Sir Brian Briscoe, members of the task group and all those who gave evidence during the course of the group's work. This debate is the start of a commitment by the Government to report regularly on our progress with regard to the accommodation requirements of Gypsies and Travellers.

The debate comes at a time when we look forward to celebrating Gypsy Roma Traveller history month in June. It is the first such celebration to be fully supported and endorsed by the Government. It will provide a tremendous opportunity for children in our schools to hear of the traditions of Gypsies and Travellers and how their cultural heritage, passed down through the generations, is often a world away from that popularly perceived. Together with my noble Friend the Under-Secretary of State for Children, Schools and Families, Lord Adonis, I welcome the opportunity that we will now have to challenge the myths and to break down the barriers to social cohesion.

It is important to put today's debate into context and to remember that this is not an abstract matter. We are discussing real people here; a proud people who are protective of their cultural identity. They are families with children who sorely need the opportunity for a proper education; and families with elderly relatives who desperately need their elected representatives to champion improvements to health services on their behalf.

The Government have a proud and strong record of addressing and tackling social injustice in this country. Providing sufficient and good quality accommodation will help to tackle the serious social exclusion experienced by Gypsies and Travellers, and improve health and education outcomes. The average life expectancy of a Gypsy or a Traveller is 10 to 12 years lower than that of a member of a settled community. In many ways, I accept that that is due to lifestyle and diet choices, but, in part, it can be attributed to a failure to access health services. Gypsy and Traveller mothers are almost 20 times more likely to experience the death of a child. Some 22 per cent. of Irish Traveller children and 15 per cent. of Gypsy children achieve five or more good GCSE grades compared with 55 per cent. of children in the settled community. Again, some of that may be due to children failing to have a settled school life caused by the absence or shortage of appropriate sites in which to live.

We are talking about a proud people who have the same rights and responsibilities as every single one of us here today. Let me focus for a moment on the issue of responsibility. In my position as Minister with responsibility for Gypsies and Travellers, I receive a lot of correspondence and parliamentary questions about those communities. In some of the correspondence, there is a message that Gypsies and Travellers are somehow above the law, that there is one rule for Gypsy and Traveller communities and one rule for the rest of us, and that there is strict enforcement of the law for hard-working families living in bricks and mortar accommodation and more of a laissez-faire attitude to those people who are part of Gypsy and Traveller communities. Let me say now that I need to kill that myth off right here, right now.

All of us in this country, regardless of our status or background, live under one set of laws. Our expected standards of behaviour extend to everybody in our society. We have a range of measures with which to tackle antisocial behaviour. We are now preparing guidance for publication later this year on how those powers can be used to tackle situations in which Gypsies and Travellers are responsible for, as well as being the victims of, such antisocial behaviour. I believe passionately that no one should have to tolerate thoughtless and antisocial behaviour. I accept that a proportion of the Gypsy and Traveller communities perpetrate such behaviour. However, it is also fair to say that just because a small minority of Gypsies and Travellers carry out antisocial behaviour, it does not necessarily follow that all Gypsies and Travellers are criminals. In the same way, I would say that, just because a small minority of young people carry out crimes, not all young people are criminals.

A range of powers are in place and available to landowners, local authorities and the police to deal with unauthorised encampments. Those powers include sections 61, 62A to E, 77 and 78 of the Criminal Justice and Public Order Act 1994. We have strengthened police powers to tackle unauthorised encampments and offered clear guidance to local authorities on how to use them. We will have the opportunity this afternoon to debate the Government's policies that are aimed at ensuring that such communities have authorised places in which to live. No doubt, we will also debate the consequences of them not having such places.

Andrew George (St. Ives) (LD): The Minister mentioned antisocial and criminal behaviour. I know that in many parts of the country, people often do not want a legal site established next to them for fear of such behaviour. Will he clarify from his own information and research whether the travelling community are more likely to be engaged in criminal activity than the settled population?

Mr. Wright: I am very grateful to the hon. Gentleman for raising that question because there is no evidence that Gypsy and Traveller communities commit more crimes or acts of antisocial behaviour than any other part of our society. I am grateful that he allowed me to put that on the record.

Lembit Öpik (Montgomeryshire) (LD): My hon. Friend the Member for St. Ives (Andrew George) raised an interesting point. Does the Minister agree that we are likely to create a greater sense of enfranchisement within mainstream society if the settlements are dealt with within the law, and that instead of having Travellers living in a technically illegal settlement, they should be brought in to the community so that they have to pay council tax and everything that goes with it? They will then end up feeling that they are stakeholders in society.

Mr. Wright: The hon. Gentleman has made an important and valuable point and I would like to say two things in response. First, if we all talk to one another, we will find that a shared sense of community and family is common to us all. The history month in June provides a great opportunity for us to understand and learn a lot about heritage and traditions. Secondly, his point about having a stake in the community is vital. The identification of authorised, well-managed sites with good links and access to both the settled and Gypsy and Traveller communities is a no-brainer. Everybody wins with regard to that. It helps the idea of community cohesion if we push for what he suggests.

Almost a quarter of those living in caravans in this country today have no authorised place in which to stay. For this tangible, yet often forgotten, group of people, life can be incredibly intolerable. I have been told about young families being woken up at the crack of dawn and given minutes to collect their belongings and explain to their children why they cannot stay where they are. It must be difficult to understand why £18 million—the current cost of enforcement in this country with regard to unauthorised encampments—is spent simply moving Gypsies and Travellers from kerbside to kerbside, often several times a day. That is an indescribable amount of money to those communities.

I do not want this debate to be overtly party political; that can go on somewhere else in the country today. However, a lot of the issues, challenges and problems that the task group investigated stem from legislation passed in 1994 by the previous Conservative Government. As the task group's final report makes clear, they

> "removed the duty on local authorities to provide sites for Gypsies and Travellers."

Those communities were

> "expected to provide for themselves, but many lacked the means to do so".

Even for those who could, restrictive planning policies meant that it was difficult to obtain planning permission for a site. Indeed, some Gypsies and Travellers found that even talking to planning authorities before a planning application was submitted led to discrimination, immediate pre-emptive action and ultimately planning refusal and a return to a life of roadside camping. I suggest that that is not a suitable way to encourage community cohesion.

Hon. Members present will no doubt remember the coverage in 2005, when newspapers and politicians alike damned unauthorised camps, yet failed to offer a workable solution. That was the context and backdrop to the Government's decision to establish an independent task group to examine the issues underlying concerns about unauthorised camping, such as how local authorities could protect their open space from inappropriate development and whether the available enforcement powers were enough to protect landowners and businesses affected by encampments and deter those who were breaking the law.

In its very first month, the task group stated clearly and unequivocally that unauthorised camping could not be discussed and ultimately resolved if the reasons for it were not identified. We therefore agreed that the task group on enforcement should become the task group on site provision and enforcement. This Government have long recognised that effective enforcement against unauthorised camping must go hand in hand with identification and provision of sites. Other stakeholders believe that, too.

I have been encouraged by the words of, for example, Northamptonshire county Councillor Ben Smith:

> "It's clear that continually moving Gypsies and Travellers from one place to another is not a long-term solution and that there needs to be sufficient provision for permanent sites in the county…Through this we aim to not only reduce the number of unauthorised encampments in the county, but to also work towards creating an environment where the rights of both the settled and the Traveller communities are respected."

I agree with every word that he says. I was equally encouraged by Councillor Paul Bettison, environment spokesman for the Local Government Association, who said:

> "Measures to cut back on unauthorised traveller sites are good news for the council taxpayer. It is only by providing more authorised sites that local authorities can deal with the problem of illegal encampments. Both the gypsy and traveller and settled communities must have equal rights and carry the same responsibilities."

I absolutely agree with everything that that councillor said, too.

In the Housing Act 2004, we put in place a requirement for local authorities to tackle the reasons behind unauthorised encampments and to establish pitch needs through the preparation of accommodation assessments for Gypsies and Travellers. I am pleased that the vast majority of those have now been completed and are beginning to feed into the regional spatial strategy process. The policy framework established in the 2004 Act was examined carefully and thoroughly by the task group. It found that the policies put in place by this Government were sound, that local authorities had sufficient powers to deal with breaches of planning control or unauthorised developments and that we were right to place a duty on authorities to identify land.

That prompts the question as to where the problem lies, if it is not with the Government's policy or the existing framework. If the powers are already in place, as the task group concluded, what lies behind the tensions that we see at planning committee meetings and that are reflected in the press and in our communities? That is what we are here to debate. The task group set out its thoughts in its final report, "The Road Ahead", which is an informed, thorough and wide-ranging look at the state of Gypsy and Traveller policy. It sets out a number of recommendations not only to national Government but to representatives at all levels of democracy and to institutions such as the press and other media.

The task group felt that a difference could be made most effectively at local level. Its first recommendation was that where there is clear need for site provision, local authorities should give serious consideration to proceeding with a development plan document now, to enable the identification of land for authorised sites. Indeed, the task group went further, stating that if there is a clear need for land, authorities should begin to allocate it even if the regional spatial strategy has not yet allocated formal pitch numbers.

We will all be able to cite stories of large numbers of unauthorised encampments and developments, although it is interesting to note the task group's finding that, contrary to popular belief, huge encampments are relatively rare. The Office of the Deputy Prime Minister's circular 01/2006 was very clear that a significant number of unauthorised encampments or developments in an area shows a clear and immediate need. I hope that the message to local authorities is clear: if there are unauthorised camps in an area, the local authority should take action now to identify where authorised sites can be provided.

Andrew George: That is an important recommendation. In many areas where there is concern about the creation of authorised sites, the concerns are about the size of the sites and the number of pitches as well as their location. Has the Minister's Department or the task group undertaken any work on or made any recommendation about the size of sites, the optimum number of pitches and at what scale they would become a problem, or about their location in relation to the settled community?

Mr. Wright: There are two distinct points there. Whether we are talking about housing growth numbers or Gypsy and Traveller pitches, on location, I maintain that local considerations serve us best. People will be aware of specific local circumstances and are able to discuss them in what I hope will be a mature debate on the location of sites.

The hon. Gentleman's second interesting point was about the optimum size of a site. Of course, it is not right for Ministers or officials in Whitehall to specify the optimum size, because it will be based on specific communities' requirements. However, in the past few days we have issued guidance on site design, which helps to ensure that Gypsy and Traveller communities have appropriate access to the facilities that can help to stabilise communities and provide community cohesion. I hope that that answers his question.

A lot is down to local people having a sensible, mature and non-bigoted debate, but central Government can provide financial assistance to help with the provision of new sites. To that end, I am pleased that we have been able to make provision for a further £97 million over the next three years to help to deliver more sites and refurbish existing ones. That comes on the back of what we have done in the past few years. We made £56 million available between 2006 and 2008 to deliver new pitches and refurbish existing ones.

The task group called for the delivery of authorised sites to be sped up, and I agree fully with that assessment. As I said earlier, all Gypsy and Traveller accommodation assessments should now be complete. For the first time, local authorities have an authoritative statement of need and demand for Gypsy and Traveller accommodation in their areas. It is now time to take action to meet those needs.

I have mentioned the £97 million that will be available to refurbish sites and provide new ones in the next three years, and it shows the Government's commitment to tackling the issue. The money that we have provided in the past has helped to fund a variety of projects all over the country. One innovative scheme will enable a local authority to acquire and hold suitable land and sell it on to Gypsy and Traveller organisations or families on a non-profit basis, so that they can develop and manage new sites. The proceeds of that sale can then be recycled into the purchase of further land for use as Gypsy and Traveller sites.

This year, successful schemes were worth £34 million. In total, funding between 2006 and 2008 will pay for more than 400 new pitches and the refurbishment of 120 sites. We have now started a new bidding round, which will run until July. We are confident that the funding will make significant inroads into the shortfall in site provision, to the benefit of Gypsies, Travellers and the settled communities. The provision of homes will help to cut unauthorised camping and the sometimes serious tensions that, as we all know, can be caused with the settled community. I also passionately believe that it will help to improve the health, education and welfare outcomes of Gypsies and Travellers across the country.

Andrew George: The Minister and I must continue the conversation that we are having. On educational provision, to what extent is the money available able to assist in circumstances in which an authorised site is brought into an area where there is already a lack of sufficient local school places, or where the health provision in the local community is already oversubscribed? Can the funding that is available through the scheme assist with such infrastructure problems, which exist beyond the site itself?

Mr. Wright: Again, the hon. Gentleman raises a serious and interesting point. The £97 million that I referred to is capital spend specifically for the refurbishment and the provision of new build. Nevertheless, he raises an interesting point. Let me go away and see to what extent the idea of necessary additional or new infrastructure, such as access to health care and school places, could be funded. I suspect not, frankly; I do not think that the money will be used in that way. However, if we can have a cross-governmental look at how we can address those issues, his contribution will be very worth while.

How local authorities spend their money is up to them. As I said earlier, an estimated £18 million is spent on moving Gypsies and Travellers from place to place, frequently providing little choice for the people being moved other than to camp unlawfully. In its report, the task group highlighted the example of Bristol city council, which grasped the nettle of providing a site. The council saw its enforcement costs fall from around £200,000 a year to less than £5,000 a year following the provision of a transit site.

I truly believe that everybody, including the council tax payer, wins with the approach that leads to the sensible provision of authorised sites. Not only does such provision help those who are socially excluded but it has a positive impact on the bottom line, too. Putting it plainly, it is in the best interests of those who are in this room, those who are elected to local councils and those whom we all represent if we help to identify and deliver authorised sites in appropriate locations.

Nevertheless, I realise, especially on this day of all days, that we do not live in a political vacuum and I am

[Mr. Iain Wright]

under no illusion that providing such sites is ever easy. However, we are all elected to take challenging decisions. The task group sets out a very clear message on what must be done to help to improve the quality of life, indeed the life chances, of the Gypsy and Traveller communities.

Three weeks ago, candidates from all parties took to the streets to try to convince the public that they and they alone could best represent their interests at a local level. I am not naive, so I am sure that the issue of unauthorised camping will have been raised by some of those who were canvassed during the election period. I fully appreciate that proposals for new Gypsy and Traveller sites raise public interest in a way that few, if any, other small-scale planning applications do. For example, I am aware of a recent consultation on where new sites could be located in a local borough that attracted more than 3,500 responses. However, what I find deeply worrying is that more than 3,000 of those responses had to be rejected due to allegedly racist comments.

The task group drew attention to the crucial role that Ministers such as myself and all elected Members have to play in both representing and leading all members of their communities. The task group said:

> "There is perhaps no issue where strong and principled political leadership is of greater importance than in protecting the interests of vulnerable minorities."

Again, I am very aware that vehement political battles are going on elsewhere in the country today. However, I am very keen, from this debate onwards, to foster some sort of political consensus on this matter, because, as I have said before, everybody wins when we try to shout down the bigotry as much as possible.

Julie Morgan (Cardiff, North) (Lab) *rose—*

Mr. Wright: In giving way to my hon. Friend, I pay tribute to the fantastic work that she does as chair of the all-party group on Gypsy and Traveller law reform.

Julie Morgan: I thank the Minister for giving way. I am very much enjoying listening to his speech.

On the political issue that the Minister just referred to, does he agree that it is a very good idea to make contact with the different parties, particularly coming up to election times, so that these issues, in which vulnerable groups are involved, are not used as political pawns in an election campaign? This is certainly something that has been done in Wales. For the Assembly elections, the party leaders agreed that they would not campaign on these issues and similar attempts were made in local authority elections not to campaign on such issues. Does he agree that that approach is a good way forward in these political battles?

Mr. Wright: I certainly do. I do not want to pre-empt what we will debate this afternoon, but I hope that there will be an element of political consensus in Westminster Hall this afternoon that we can then use as a good example of political discussion. I am keen to work with other political stakeholders, such as the Local Government Association, on this issue and I hope that all hon. Members pull together to ensure that we can foster that sense of tolerance that my hon. Friend rightly says is necessary.

Some people find it very easy to attack those who camp on land without permission, or who breach development controls, and it is absolutely right and proper that standards of behaviour and the rule of law must apply to us all. Our development control legislation is there to protect the countryside, our open space and the rights of those who dwell within it. However, we really face a moral challenge on this issue, in that we must have the courage to tackle the reasons why Gypsies and Travellers are forced into unauthorised encampments, and we must also support a programme of site provision with a pace and a pride that reflects our commitment to providing valued accommodation for those who need it most.

I suspect that our debate today will be frank but I am confident, given the hon. Members who are present, that it will also be extremely well-informed, balanced and dignified. The task group made it clear that it is our role, and that of Members up and down the country, to ensure that such informed debate takes place across our land.

2.56 pm

Robert Neill (Bromley and Chislehurst) (Con): May I also say, Mr. Illsley, that it is a pleasure to be serving under your chairmanship?

I, too, would like to start by welcoming many of the valuable comments in the report of the independent task group. I know that its membership was widely drawn. It would perhaps be invidious to single out any individuals, but I shall make particular reference to Richard Bennett, former leader of Reigate and Banstead borough council, who represented the Local Government Association in the task group. I know that he continues to play a valuable role in the dialogue, conducted on a cross-party basis, that is developing within local government. I am also pleased that there were representatives of the Gypsy and Traveller community involved in the task group; their inclusion is obviously a sensible and constructive way forward.

Of course, there is common ground in some measure. It is right that we recognise that the vast majority of the Gypsy and Traveller population behave responsibly, are anxious to live peaceably and effectively with their neighbours, and are on authorised sites. When there is sensible collaboration, these sites can work well. I speak as somebody who was, in a previous period of his career, a member of a local authority. I am pleased to say that it was under the control of my party in the '60s and '70s and, quite early on, was involved in setting up a Travellers site, which was then in the London borough of Havering. That site has developed and is now a successful, authorised site. I am certainly not suggesting anything other than that there is a sensible way forward through the recognition and identification of proper sites. That is the correct approach for us to adopt.

Equally, however, we must recognise that, although there is undoubtedly and regrettably bigotry and prejudice in our society—I accept that such things exist—one cannot say that all or even a majority of opposition to particular sites is necessarily motivated by such base motives.

Mr. Andy Slaughter (Ealing, Acton and Shepherd's Bush) (Lab): Given that the hon. Gentleman said that he thinks the report is taking the right line in ensuring that there is sufficient provision, does he now think it was a mistake for the previous Government to have removed the requirement in the 1994 Act to provide accommodation?

Robert Neill: I am interested in looking forward and being constructive in finding ways to deal with this problem. However, we must get some balance, and if the hon. Gentleman listens he will find that there is a balanced approach that the Conservative party is interested in adopting.

This is the point that I want to make: in understanding why there is frequently opposition to these sites, one must recognise that part of that opposition stems from a real sense of frustration among the settled and existing neighbouring communities that decisions are not taken at a sufficiently local level. Therefore, I part company with the Government's view that these issues are best handled at regional level.

Hon. Members will know that, as a matter of principle, my party is opposed to the regionalist agenda and we believe that it is broadly desirable to return all planning processes to the most local level possible. If decisions are taken locally and seen to be taken locally, we are much more likely to get the buy-in from the community that is desirable and that will make for a much smoother process for the future.

The report quotes several instances of good practice, which I recognise. As the Minister said, the LGA is keen to develop and do further work in disseminating good practice. That is a sensible way forward and one that I certainly endorse. I point in particular to the excellent work done by Fenland district council, which, as it happens, is under the control of my party, but each party controls authorities mentioned in the report. I suggest that the key reason why those examples of good practice have succeeded is that there is local ownership of decisions. The local authority has been able to take the decision and act of its own accord, rather than being imposed on by a remote regional body—that is the difference.

The Minister is right to say that we are all elected to take challenging decisions. That includes our local councillors, yet I sometimes suspect that it is a sense that decisions are removed from them to an unelected body that causes much of the frustration in the process. I understand the Minister's analysis, but the Government's policy of regionalisation of planning matters will make things worse. Transferring planning issues to regional development agencies will have the perverse effect of creating tensions where there need not be any. We should trust our local councillors to grasp the nettle and respond sensibly to applications.

Recognising that the vast majority of Travellers behave well and properly, and that it is important to have a constructive dialogue with the travelling community, does not, I am afraid, get away from the fact that real issues and tensions are caused by the minority who abuse the system. It is important, therefore, that there are proper mechanisms to bear down on such abuse. After all, in the classic case, it creates difficulties for the law-abiding majority whom we wish to assist. That is where I believe that the report is a little too generous to the planning and enforcement regime.

The sad fact is that even if one strips out some of the emotive language that is unhelpful in discussions of this kind, there is evidence to suggest that unauthorised encampments remain a real problem. The consultation document produced two or three years ago by the Office of the Deputy Prime Minister recognised that the problem had grown and therefore needed to be tackled. Such encampments result in enforcement costs to local authorities, but frequently there are also considerable costs to others, particularly farmers. I believe the National Farmers Union estimated that illegal encampments run to a cost of about £100 million.

We must recognise that if we are to get public support for sensible arrangements for the travelling community, we must have a proper means of dealing with the minority who abuse the system—and that includes not only Travellers. There is real concern about landowners—they may not be Travellers—who hold neighbouring residents to ransom by threatening that they will allow an encampment on their site unless the neighbouring landowners or residents purchase the site at a highly inflated price. We do not seem to have an adequate system for dealing with that. The stop notice rules are insufficient, which is why the Opposition want an extension of council powers of compulsory purchase if there is clear abuse of that kind or continuing breach of a stop notice.

We must also ensure that steps are taken to deal with abuse of the planning laws by way of applications for retrospective planning permission. As we all know, people may innocently fall foul of planning requirements, in which case retrospective permission is appropriate. I have no argument with that, but it is appropriate that we should strengthen the ability of local authorities to refuse retrospective permission where evidence exists that can reasonably lead to the conclusion that someone has knowingly breached planning law. That is part of the level playing field, that is necessary if we are to get buy-in from communities as well as the travelling community.

Lembit Öpik: On that basis—this is a specific example, but it is such a large one that it may be worth mentioning—what is the hon. Gentleman's view on the situation at Dale farm, Oak lane, Crays Hill, Basildon? It appears that some 1,000 Travellers live there. If he does not have a view, that is fine, but if he does, it might be useful to hear it. This is not a trick question; I am genuinely interested in his thoughts on it.

Robert Neill: I shall defer to the views of my hon. Friend the Member for Billericay (Mr. Baron), who is closely involved with the site. Later in the debate, he will address that point on the basis of close local knowledge.

Julie Morgan: Does the hon. Gentleman agree that in many cases the planning breaches are caused by the fact that there is nowhere for the Gypsies or Travellers to go, and that the proposed solution of having an adequate number of sites would prevent such breaches from occurring? We cannot make any real progress until there are adequate sites.

Robert Neill: Having a sensible assessment of what is required and making provision is obviously a wise course, but we should not then leap to a view that

[Robert Neill]

justifies deliberate breaches of planning law. That is where we are in danger of creating needless resentment among many neighbours of travelling communities who feel that there is not a level playing field.

A consequence of the Human Rights Act 1998—perhaps unintended but perverse—has been to make some provisions of the 1994 Act harder to enforce. For example, most ordinary citizens will regard as a perverse consequence, and as something that needs addressing, judgments such as that by the Court of Appeal in the Chichester district council case, where what is described by the court as the council's legitimate action in issuing an enforcement notice is held to fall foul of the Human Rights Act.

I am discussing clear and deliberate breaches. Redressing the balance would do much to improve the climate in which the debate is conducted, which would benefit the travelling community as much as anyone else.

We also need to look at the guidance given to enforcement bodies to ensure that it is realistic and that it gives them the flexibility to act appropriately. Our contention is that that must be done against the background of getting rid of arbitrary quotas and looking at ways to incentivise local authorities. In that context, it is important that any local authority can have an assurance that cost burdens will not be shunted on to it in consequence of the establishment of a proper site.

I am sure that the LGA will want to look carefully at the details of the spending announced by the Minister to ensure that it properly funds the costs, including consequential costs. Again, that is part of the level playing field that is absolutely key to this matter.

Similarly, where there clearly is an improper encampment, greater powers to enable swift removal will lead to a reduction of tensions. The point about transit sites is well made, and that may be something we can look at, but it must be considered in the context of a balanced approach.

Finally, we ought to look at intentional trespass, about which more could be done. I am interested in the fact that the Irish Republic, like this country, is a signatory to the European convention on human rights. It, too, has a substantial Traveller population and much experience in dealing with such matters. The Irish Government have introduced legislation that makes intentional trespass an offence, doing so against the background of ensuring that several conditions are met—that is, the legislation applies only when the intentional trespass is likely to

> "damage the land substantially…affect any amenity to do with the land…prevent anyone entitled to use the land from making reasonable use of it, or…render the use of the land unsanitary or unsafe."

Those are sensible provisions, which might well be examined here. Again, they will be seen as redressing the balance so that genuine cases are assisted, while those who abuse the system, whatever their background, are borne down upon.

Mr. Slaughter: The hon. Gentleman is spending most of his speech talking about problems that he said existed only in a minority of cases where Travellers are concerned. I wonder whether he, like me, has received the briefing from the Country Land and Business Association, which says:

> "Few landowners have problems with Gypsies and Travellers trespassing on their land to set up camps. We assume that this is because the legal framework now makes it so easy to move trespassers that it is no longer worth the effort."

Will he reflect on that in asking for further legal penalties?

Robert Neill: I do take that into account in reaching my conclusion, which I do not resile from, that further strengthening of the law is required. That is also the view of the National Farmers Union and other bodies. There are two sides to an argument, and it is important that both be listened to sensibly. Strengthening provisions to extend compulsory purchase powers to deal with abuses by landowners who hold a gun to people's heads would be a corollary to that approach.

It is essential that all people across the country—whatever their community—can say that the law treats them fairly, but there is no getting away from the fact that the strong perception is that genuine instances and hard evidence show that that is not always the way that it works in practice. I am sure that that is an unintended consequence of the legislation, but even when we have hard evidence of such unintended consequences, we are, to use the Minister's word, "shirking" our responsibility to take the challenging decision to do something. Doing something in what is a minority of cases will be the best long-term means to reassure the law-abiding majority, while ensuring that there is the best possible integration of the travelling and the settled communities.

We generally agree about where we want to go, although there will be differences between us as to the route and the means. Against that background, I welcome the report and the opportunity to debate the issue, and I know that other hon. Members will want to bring particular experiences to bear. In that sense, we are perhaps at the start of the development of a policy on the issue.

Having welcomed those proposals that I support, expressed my reservations about others and said where I believe further action is required, let me say that I am sure that we will return to the issue in future debates because it is important. Finding a workable and balanced solution must be key to everything.

3.13 pm

Lembit Öpik (Montgomeryshire) (LD): It is, as the Minister said, opportune and appropriate that we are debating this subject today. A large proportion of parliamentary colleagues have themselves become travellers, living on Virgin's London to Crewe main line service. I only hope that the policy on Travellers outcomes that we reach as a result of the debate turn out to be rather more successful than that rail service—but I digress.

I very much echo the sentiments expressed by the Minister and the hon. Member for Bromley and Chislehurst (Robert Neill) when they said that the image of Travellers is rather unfairly negative. Oftentimes, we hear that Travellers are directly responsible for crime waves in local communities, but the evidence does not tend to back that up. In fact, there is not really any circumstantial evidence to show that Travellers are less law-abiding, or display less social integrity, than anybody else. If the intention behind the debate is in part to put the record straight, I hope that the fact that all three Front-Bench spokesmen have underlined that point will go some way to reassuring the public that we are not talking about some sort of outlaw community that is seeking to invade local life.

Travellers and the Gypsy population often have the poorest life chances of any ethnic minority group. They have problems accessing public services, including health and education, as the Minister rightly said. They also end up living on illegal sites in circumstances that necessarily conflict with planning regulations. I agree that the debate is not about giving in to illegal practice; rather, it is a common-sense debate about acknowledging that these individuals exist, that they have a chosen lifestyle that should offend no one and that a quarter of them live on unauthorised sites as a result of the planning circumstances in this country. The former Member of Parliament for Ludlow, Matthew Green, does a great deal of work representing Travellers in such circumstances, and he has confirmed to me that the overwhelming majority seek not to fall outside the law, but to find somewhere to live, either in a community or as a small settlement. They turn to him and others in an effort to right the legal situation. They do not consider what they are doing a battle with the state or as rebellious action, but merely an effort to come to terms with the requirements of local community planning and to meet their own very reasonable requirement to have a settled and stable home life.

Moving Gypsies on only decreases their quality of life, which is already low. The real question at the heart of the debate is how we can provide for community cohesion while ensuring that the needs of the existing community are also taken into account. As the Minister said, the taskforce recommends authorised sites. It is important that we make it easier to enforce the current regulations, while compensating members of the Traveller community by giving them somewhere to go. Unless we do that, we will create an impossible situation and simply move the illegal problem on, rather than resolve it. I was pleased to hear the Minister remind us that £97 million has been allocated for the next three years to deliver sites. The guidance on site design is also important. I am increasingly convinced of the importance of creating sustainable communities, whether in fixed housing or Traveller locations.

My hon. Friend the Member for St. Ives (Andrew George) mentioned education provision. I hope that, on reflection, the Minister can give us a more detailed explanation of how the Government can help local communities by giving them sufficient funds to make education provision available for those who live on Traveller sites.

It is a matter of great regret that the Conservative Administration in 1994 removed the duty on councils to provide Gypsy sites. The hon. Member for Bromley and Chislehurst attempted to reassure us by saying that we should look to the future rather than merely hark back to the past, but I never really understood why the Conservative Government did what they did, and I am not completely reassured that a future Conservative Administration would show any more consideration towards Travellers. I tend to think that people cannot talk themselves out of a problem that their own behaviour got them into, but if the hon. Gentleman could give us further assurance in the form of a specific pledge put on the record, that would be well received by Travellers. Otherwise, they will be extremely concerned that a Conservative Administration would take us back 14 years, instead of keeping us in the present or moving us into the future.

The additional advantage of requiring established sites is that it forces Travellers to pay council tax, which could go some way towards not only paying for the public services that are required, but easing community tension. Community is the thing that Travellers and Gypsies are most interested in creating and being a part of. Settled communities are interested in owning a house and it is in their interest to be part of a wider community. Given that the Minister has spoken so positively of the recommendations, I hope that they will be practically applied and promoted by the Government, working in partnership with local authorities around the country. That is a test by which we can establish how seriously the Government are taking the issue. We, and representatives of the Traveller communities, will be watching for measurable signs of action as a result of the recommendations, specifically those on community.

The other problem that has not been mentioned in detail is police action. There is often reluctance to pursue eviction in the knowledge that the case will be lost in court on welfare grounds, because of the European Court of Human Rights rulings on the right to family life. There is an obvious conflict in the legislation in that the police are required to enforce current legislation, but the Government perceive the requirement for established family life to be possible for Travellers. The Anti-social Behaviour Act 2003 gives police more power in evictions, but only at the landowner's request, and it is still difficult to move people on when there is nowhere for them to go, which brings us back to the problem that we discussed earlier about the need for authorised sites.

The Minister has also pointed out that the cost of eviction far outweighs its effectiveness in moving Gypsies on. As he said, £18 million is spent annually on evictions. Bristol city council reduced its annual enforcement costs from £200,000 to £5,000 with a £425,000 investment in an authorised site. It was therefore obvious that that decision would pay for itself in two years. The Liberal Democrats have worked hard in Essex to deal with the problems posed by the illegal encampment at Dale farm, which is the largest in western Europe, with an estimated 1,000 Travellers, most of whom, I believe, are Irish. In economic terms, providing managed, authorised sites is a better option than spending a virtually limitless amount on eviction. I look forward to hearing the observations of the hon. Member for Billericay (Mr. Baron). By his leave, I shall make further comments about Dale farm as interventions during his speech, as he has greater knowledge of the details of the case.

Another problem is the distribution of sites. In south Essex, Basildon has by far the most, whereas other authorities in the area have none. It may be necessary to provide 81 new Traveller pitches, which will essentially be unauthorised, in addition to the 116 legal ones already provided. I hope that the Government will take a strategic approach to that, to ensure that individual authorities are not burdened through precedent, and perhaps through political expediency, with managing the issue, while other authorities turn their face against it and freeload on the work done by authorities such as Basildon. That requires some Government intervention. No one authority can resolve it. Does the Minister have any thoughts on how to ensure that the responsibility

[Lembit Öpik]

for providing Traveller sites is distributed among authorities rather than heaped on the small number who are already bearing the brunt?

Another problem that we must face is the effect of Traveller sites on already falling house prices. I seek once again the sage counsel of the hon. Member for Billericay, who may be able to furnish us with details of the consequences of the unauthorised site at Dale farm, which has apparently contributed to a fall in house prices. That is another powerful reason for regularising sites and ensuring that they do not have such a damaging effect on the perceived value of properties in surrounding communities.

Some people try to conflate the problem of Traveller sites with a wider question about immigration. The Liberal Democrats have long argued for improving border controls with the introduction of a national border force and the reintroduction of exit checks at ports, so that we know how many people live in the United Kingdom. To some extent we deal with Traveller-related issues in the dark, because we do not have a definitive estimate of how many people need to be situated on sites, and the prevailing trends. Increasing the price of work permits for businesses to employ immigrant workers and using the money to retrain British workers in sectors affected by immigration is a possibility, but opening a pathway of earned citizenship, subject to a series of tests such as English language and public interest, for people who have lived in Britain, is a very useful way forward and could increase the net income at Traveller sites, with all the beneficial knock-on effects that that would have.

At heart, we must return to the point about the degree to which we can legitimise, authorise and legalise something that we know is happening and that is, de facto, affecting many communities in the United Kingdom. Authorised and unauthorised managed sites are a short-term solution to a wider and much longer-term issue, but they are economically the most sensible option. Eviction is probably the least effective.

I welcome the report and its objective analysis, but I put it gently to the Government that they should not feel the issue can be solved on a one-off basis. A degree of public concern remains, which the Minister and the hon. Member for Bromley and Chislehurst have already highlighted, and we cannot pretend that it will simply dissipate because of today's debate. I suggest that there is a case for the Government proactively to address the negative image that Travellers have in some communities by investing some money in bringing Traveller communities into direct contact with the static communities around them. I do not think that there is anything idealistic about that: it is obvious that people who know each other are less likely to be afraid of each other. As those of us who have met Travellers frequently know, one discovers that Travellers are just like any human beings in the United Kingdom and are keen to have an established social interaction with the people they live around. Although the Minister has not mentioned it, perhaps he could consider the case for a fund to build intercommunity relations between Travellers and established communities. That would use a small amount of money, but it would go a long way to lessening the prejudice that Travellers must often live with.

Adding together all that I have outlined, it seems that the House is united on the case for legitimising authorised sites for Travellers. I think that we all recognise that there are economic as well as social benefits in doing that. If we can tackle the image problem, we can add diversity and colour to communities and take away the fear, all at once.

3.28 pm

Julie Morgan (Cardiff, North) (Lab): It is a pleasure to follow the hon. Member for Montgomeryshire (Lembit Öpik)—another Welsh Member. Like other hon. Members who have spoken, I welcome the report. I have one caveat, but I shall start by paying tribute to the valuable work put into the report by the task group's two Gypsy members, Siobhan Spencer and Janie Codona, and its one Irish Traveller member, Bridie Jones. Their input was invaluable.

The report points out, among other things, that more than three quarters of Gypsies and Travellers in this country—the vast majority—live on authorised sites, and that unauthorised encampments and developments are made inevitable by the lack of authorised sites at which they can stop, temporarily or permanently. As long as we do not have enough sites, that problem will always exist, so we must find a way to ensure that there is enough provision. The report also makes the point that less than one square mile of land in the whole of England is needed to meet the current shortfall, which is about 4,000 pitches. Surely there is some way in which all of us working together can make sure that an adequate number of pitches is provided. When we think of the vast amount of house building that will have to be done to accommodate people, surely we can provide enough caravan sites for that small group of vulnerable people?

The Government have put in place a policy framework, which is explained in the report, to meet the shortfall. The report endorses the policy framework but points out that it is not being put into practice quickly enough, as the Minister acknowledged, and says:

> "Unless the pace of delivery increases, it will fail the children who today have nowhere to call home, no base from which to access education or healthcare, and whose families have no stake in the economic success of their communities. If we are to improve the life chances available to those children's children, and to address the community tensions fuelled by unauthorised sites, there must not be further delays to the implementation of the policy framework now in place."

Although the report says that the policy framework is right and that we are on the right track, it points out that delivery is taking too long and that families—particularly children—are suffering.

It is important to acknowledge that conducting Gypsy and Traveller accommodation assessments and finding sites for new provision has stirred up a great deal of concern and has stimulated debate in the House, with hon. Members expressing concerns about sites in their areas. Some local authorities are unhappy about the pitch allocations that they have been asked to provide. It is crucial that we get the whole show moving this year, because although the direction of travel is right, to get the policy implemented on the ground we need all the parties to work together and we need strong leadership, locally and nationally.

Some local authorities are unhappy and other individuals, including politicians, oppose site provision because, as has already been mentioned, some people believe that all Gypsies and Travellers are criminals or at least antisocial. The report specifically addresses that point and says, as hon. Members have emphasised, that there is no evidence for that. There are criminals among Gypsies and Travellers, as there are in every other community, but many Gypsies and Travellers are the victims of crime and antisocial behaviour from within and outside their community. It is always wrong to judge a whole group of people by the behaviour of a small number of individuals. Of course, many Gypsies are victims of homelessness, which is one of the biggest difficulties that they face.

Other people oppose site provision because they believe that travelling as a way of life, and living in caravans in general, should be phased out; they believe that it is an inherently undesirable way of life and that those who practise it should be assisted in leaving it. That is why there has been pressure for Gypsies and Travellers to move into houses. Many of them have done so and there are probably more of them living in houses than in caravans, mainly due to the lack of provision of sites. In a way, that is tragic because it means that people are not able to live in the way that they would choose to. It is accepted generally that people in the settled population prefer to live in different places, whether in cities or the country, or in flats or houses. It is important to accept that Gypsies live in caravans and that many of them were born into that way of life and choose to continue living it. We should respect that.

The other problem that has been mentioned today is the assumption that people who live in caravans do not contribute to society and do not pay their way. Since the media stories nearly always deal with the minority who live on unauthorised sites, or the small minority who behave antisocially, people easily forget the majority, who live quietly and legally as responsible members of society, but still prefer to live in a caravan—a way of life that they were born into—and do not want to live in houses. The exceptions become the rule in the minds of too many people and the solution seems to them to be to force Gypsies out of their caravans and into houses against their will.

There were calls in the House last summer not to make provision for Gypsies and Travellers, as it was thought that doing so encouraged them to persist in a way of life that subjects them to multiple disadvantages. Let us consider the disadvantages suffered by Gypsies and Travellers, particularly in health and education, which hon. Members have mentioned. Although there is disadvantage, the reason for it is not the travelling way of life but the unnecessary difficulties placed in the way of living that life. The poor health of so many people in Gypsy and Traveller communities is a by-product of their social exclusion.

Some of the statistics have already been mentioned: life expectancy among Gypsies and Travellers is 12 years lower than among the rest of the population; Gypsy and Traveller women have the highest maternal death rate of any ethnic group; most Gypsy and Traveller women receive a substandard level of care during their pregnancies; 29 per cent. of Gypsy and Traveller women have experienced miscarriages, compared with 11 per cent. to 20 per cent. in the whole population; and, as the Minister mentioned, 17.6 per cent. of Gypsy and Traveller women have suffered the loss of a child, compared with 0.9 per cent. of the population. That figure is horrific. Within a tiny group living in our fairly affluent western society, 17 per cent. of the women have lost a child, compared with less than 1 per cent. in the settled population. There is something very wrong happening in a society when that can happen. In addition, lack of accommodation and insecurity of tenure have a direct impact on people's health. It is good that the Government are tackling security of tenure, through the Housing and Regeneration Bill. I am glad about that and I congratulate the Minister on taking steps in that direction.

A 2004 study of the health status of Gypsies and Travellers in England by researchers at the university of Sheffield who talked to Gypsies and Travellers confirmed the fact that adequate, secure accommodation is essential for both physical and mental health. It says:

> "Accommodation was the overriding factor, mentioned by every respondent, in the context of health effects…Other issues include security of tenure, access to services and ability to register with a GP, support and security of being close to extended family, a non-hazardous environment".

Of course, the travelling lifestyle can also have health benefits. One of the most frequently mentioned health benefits of travelling is the freedom associated with being outdoors. However, it is important to recognise that many of the health benefits are compromised by the stress and depression caused by a lack of choice, an inability to stay anywhere before being forcibly moved on, or limited access to safe stopping places.

According to the Sheffield study, when Gypsies and Travellers have to give up their lifestyle, the failure to continue living the same cultural lifestyle is regarded as a severe loss that can precipitate depression. It is easy to imagine the stress placed on a family, often with children, who simply do not know when they are going to be moved on. When they are forcibly moved off a site, sometimes they do not know where they will go next. Perhaps hon. Members could try to imagine themselves in that situation, when bringing up and looking after children. That causes depression. I can easily understand how someone would become depressed if they wanted to continue a travelling lifestyle but were forced to live in a house because society as it is would not allow them to do so. That produces depression.

Lembit Öpik: A Traveller offered me this analogy: how would a person who wants to live in a house feel if they were forced to live a travelling lifestyle? That is an exact mirror. As the hon. Lady rightly says, we have to be tolerant of the fact that some people choose this lifestyle, which predates the more static environment in which most of the rest of us live.

Julie Morgan: I thank the hon. Gentleman for that important point, which illustrates the problems here.

Mr. John Baron (Billericay) (Con): I agree with a fair bit of what the hon. Lady is saying, particularly about the need for more authorised sites and the need for tolerance. I will mention that in my speech. However, does she believe that Travellers should be allowed to break planning regulations if they claim that they have nowhere else to go?

Julie Morgan: There are not enough sites for Travellers to go to, so it is inevitable that some of them will stop on unauthorised sites. Until there are enough sites, that

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will continue. That is why it is so important that, during this crucial time—when the needs assessments have been or are being done and the plans are being made—we all work together to ensure that the strategy, which is the right one, is carried out, because that will mean that unauthorised encampments will not be needed and the planning law will not need to be broken.

Mr. Baron: I hear what the hon. Lady says, and I think we can all agree that more sites are needed. I shall return to that. While we are waiting for those new sites to come on stream, will she clarify whether she is saying that Travellers should be allowed to break planning regulations if they claim that they have nowhere else to go? Yes or no?

Julie Morgan: I am saying that it is inevitable that there will be unauthorised sites that do not have planning permission when there is nowhere for Travellers to go.

Lembit Öpik: May I suggest, in response to the hon. Gentleman's question, that we have a conflict of interest between planning regulations and the European convention on human rights? There is a difficulty, and the reason why we must have this debate and come to a conclusion is that unless we resolve the problem of establishing sufficient authorised sites, there will always be people who will use what in my view and that of the courts is the reasonable defence of the right to family life. That is at the heart of the issue that we are discussing.

Julie Morgan: I thank the hon. Gentleman for those points.

I turn to the education of Gypsy and Traveller children. Various factors affect their achievements. I have talked to teachers about Gypsy and Traveller culture, and an adequately funded Traveller education service must form part of any solution for improving the life chances of Gypsy children. The education system must be sensitive to Gypsy and Traveller children, but any education measures will not overcome the effect of frequent evictions, which are a symptom of the criminalisation of Gypsy and Traveller families. Eviction of people living in unauthorised encampments or developments when alternative sites do not exist punishes people for being legally homeless. In effect, that criminalises nomadic ways of life, which should enjoy parity of respect with the settled way of life followed by most of the population. One could say that Gypsy and Traveller communities are held collectively guilty of the crimes committed by specific individuals who happen to be living on a site. Unjust evictions may follow, damaging children's educational prospects and perpetuating the cycle of exclusion.

Another important point is that many legal sites are in places that local authorities would not consider fit for house-dwellers—for example, under motorway flyovers, and next to sewerage works or landfill sites. I can think of some sites that would not be considered suitable for house building.

One cannot force people to be the same as the majority, and it is morally wrong to try to do so. Attempting to force Gypsies and Travellers to give up living in caravans is as ill-conceived and unjust as attempting to force people to give up one religion and to embrace another, or to give up religion altogether and embrace a non-religious world view. One cannot force individuals in that sort of way.

The report is right to note that the slow pace of site provision is unacceptable, and to call on local authorities to make the necessary provision without waiting for the regional spatial strategy. It is right to call on the Secretary of State to direct local authorities that are not making adequate progress to prepare development plan documents for Gypsy and Traveller sites. It is also right to call on the Commission for Equality and Human Rights to take robust action against local authorities that fail to comply with their duties under race relations legislation to promote race equality and good race relations. The lack of sufficient decent and authorised sites is guaranteed to damage race relations, and I am pleased that the new commission is taking its duties to the Gypsy and Traveller community seriously. I hope that that will be high on its agenda.

Mr. Baron: I thank the hon. Lady for giving way. She is being generous, and I shall, of course, reciprocate.

What the hon. Lady said about eviction—she will correct me if I am wrong—is that when Travellers have broken planning regulations, no final action can be taken under planning regulations, and ultimately the law, or enforced. That would give a green light to Travellers to camp where they please, knowing that the law would not be enforced. Surely that is wrong, or does she not believe so?

Julie Morgan: I think that I covered that point, so perhaps we could discuss it later.

It is important that the Government implement the report's recommendation that the definition of Gypsy in planning law should be revisited. That is an important point in the report. It is deeply offensive to Romany Gypsy people to be refused planning permission to live in a caravan on their own land on the grounds that they do not qualify as Gypsies for planning purposes, perhaps because they have had to live in a house for a while or on a council Gypsy site for some years and have not been travelling around for work. If planning permission would be inappropriate for other reasons, so be it, but to tell Gypsy people that they are not Gypsies is a keenly felt insult. Planning law must be amended in such a way that people who are ethnically Gypsies under race relations legislation are recognised as such in planning law, but without denying Irish Travellers and other non-Gypsy people who live a travelling way of life the opportunity, where appropriate, to gain planning permission to live in caravans on land that they own. The report suggests that we should have a more detailed debate, and we should consider that.

It is important that central and local government confront the threat to community cohesion by widespread, frequently expressed prejudice against Gypsies and Travellers, and I am sure that we all agree with that. There seems to be significantly less shame attached to expressing that prejudice than to expressions of prejudice against other groups, particularly because of lack of understanding that Gypsies and Irish Travellers are recognised by law as ethnic minorities protected by race relations legislation. I have been shocked by comments that I have heard about Gypsies and Travellers by the general population in which it seems to be more acceptable to use language that would not be acceptable against any other group. When it comes down to it, Gypsies and Travellers are at the bottom of the pecking order. I have heard children make detrimental comments about them, and they must have picked that attitude up from their parents.

The hon. Member for Montgomeryshire made a good point when he said that we must take a lead and make progress in getting a dialogue between Gypsies and Travellers and the settled community so that people understand one another better and accept that we are all human beings.

I have met many people, including hon. Members, who have not met Gypsies and Travellers, perhaps because, by chance, they do not have any living near them. We should make a concerted effort to overcome that. Another way is through the Gypsy history month, which the Minister mentioned. That is an excellent initiative, and we should do all we can to promote it. There is a poster competition, which will be judged by Lord Avebury in the House of Lords, and that is an excellent way forward.

Local newspapers particularly are often damaging and tend to stir up hatred against Gypsies and Travellers, giving biased reports and treating them as stereotypes. When sites are under consideration, it is important that the local press do not act in that way, because if it whips up hysteria that can lead to unfortunate incidents. It would be desirable if the Government worked with the press to encourage it to take a more responsible attitude.

The report is right to call on local authorities to develop an effective communication strategy for site provision. It is important for planning bodies to prepare the ground by producing and circulating myth-busting material, and making it clear that the enormous extent of homelessness among Gypsies and Travellers is the reason for unauthorised encampments. As hon. Members have said, Gypsies and Travellers on authorised sites pay council tax, and those on local authority sites pay rent. It is essential to point out the win-win nature of making adequate provision without delay, and that the number of pitches that need to be provided is tiny compared with the number of houses to be built in each area. The cost of provision is relatively small compared with the cost of frequent evictions. The Minister has already mentioned how much money Bristol council saved by providing another site.

In that context, what has happened with the Olympic sites is particularly discouraging. The Clays Lane Travellers have always enjoyed good relations with the surrounding community, but they have had to move to a new site constructed on the Major road recreation ground, which was much valued by all local residents, including the Travellers. Despite a three-year search for a suitable site, the only place made available was one that both the Travellers and the local house residents opposed. That is an awful shame because it fuels people's opposition to the provision of authorised sites. That vicious circle must be broken.

I have covered the main recommendations of the report, which I support, but there is one recommendation about which I am concerned, as are the Gypsy and Traveller members of the task group. As a minority, they disagreed with one recommendation: the suggestion that the Government should proceed with the proposal in the White Paper, "Planning for a Sustainable Future", to reduce the time limit for planning appeals when the same development is the subject of an enforcement notice. On the face of it, that seems a fair way of ensuring that people do not manipulate the planning system to avoid eviction from unauthorised developments. However, when we consider the context in which such unauthorised developments take place, we should hesitate to endorse the White Paper's recommendation.

As I said before, it has been established that there is a shortfall of at least 4,000 authorised pitches in England. Gypsies and Travellers have been encouraged to develop their own sites by the Criminal Justice and Public Order Act 1994, which abolished the duty of local authorities to provide them. Only around 10 per cent. of planning applications for sites are approved in the first instance and consequently there is a desperate need for accommodation. At the same time, the number of lawyers able and willing to assist Gypsies and Travellers to make planning applications or to appeal against refusals is pitifully small. Until those factors have been addressed, the White Paper's proposal, if effected, would cause increased injustice. Therefore, I add that one caveat to my support for the recommendations.

I very much look forward to the implementation of the task group's recommendations as they should help to prevent the unfortunate and unnecessary tension and suffering that has arisen in relation to the Olympic park. I know that the hon. Member for Billericay (Mr. Baron) will talk about the Dale farm Traveller site, in relation to which there has been a great deal of misery.

We owe it to all the people of this country—whether they live in houses, flats or caravans—to create a system in which people with differing ways of life can live in dignity and harmony with one another.

3.53 pm

Mr. John Baron (Billericay) (Con): I, too, welcome the chance to speak on Traveller site provision and enforcement against illegal sites, which is, without doubt, probably the biggest single issue in my constituency. As all hon. Members probably know, Essex has been home to Gypsies for a long time. Basildon district council has more than 100 authorised sites, which is more than any other authority in Essex. It also has a large number of unauthorised sites. Despite attempts by Basildon council to enforce planning law and evict an estimated 50 families, Dale farm at Crays Hill is probably the largest illegal Traveller encampment anywhere in the country. Meanwhile, all hon. Members will know that the East of England regional assembly is undertaking a single issue review of Gypsy and Traveller site provision across the region. That issue is complicated in Basildon by the large amount of green belt land.

The key message of the report is that it is essential quickly to increase the number of authorised sites for Gypsies and Travellers. We would probably all agree with that; I do not think any hon. Member here would disagree. The report makes bad reading for the Government because it states that the current strategy is not delivering sites quickly enough, which is a view I have long held.

My Greenbelt Protection Bill of 2003 would have changed the law and adopted a twin-track approach. On the one hand, it would have given councils much stronger powers to deal with illegal development; on the

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other, in an attempt to be fair and to recognise the Traveller way of life, it would have required all councils to provide additional sites where there was genuine need. There was good cross-party support for my Bill, as I know hon. Members who are nodding remember, but unfortunately the Government blocked it. I am sorry that they did so because it would have dealt with a number of the issues that we are discussing, particularly the shortage of authorised sites, which is at the core of the matter.

There are many arguments for a greater provision of authorised sites. I think we all agree that it is important to recognise the Traveller way of life. Peaceful, well-managed sites help to promote understanding and respect between Travellers and Gypsies, and the settled community. That is important. However, at macro level, the problem of illegal sites cannot be properly addressed until the shortage of authorised sites is also tackled. Even when eviction takes place, the problem is simply relocated.

A further point is that the lack of anywhere else for Travellers to go makes legal enforcement difficult. Time and again, a council will exhaust the planning route only for Travellers to take the case to court where a judge will find against the council because the Travellers have nowhere else to go.

We all agree that more sites are needed, but the question is how to achieve that. As we are all aware, following the publication of circular 01/06, authorities are required to undertake an assessment of Traveller site needs in their area and feed the results into the regional spatial strategy, which reallocates site numbers to councils. The central problem is that the system confuses need for sites with demand, and does not take full account of local circumstance in allocating site numbers to local authorities. That point was made by the hon. Member for Montgomeryshire (Lembit Öpik).

Need is measured in a locality by the number of unauthorised caravans, but doing so confuses need with demand and acts against those local authorities, such as Basildon, that have already done more than their fair share by having a large number of authorised sites and pitches. That is because such sites traditionally attract a large number of unauthorised sites and pitches. The system means that because there are a large number of unauthorised sites and pitches, there is need in that locality.

To illustrate that point, we need look no further than Dale farm. Justice Collins' judgment in the High Court showed how illegal Travellers had been evicted from a site in Hertfordshire and needed a new site. They could have gone anywhere, but they chose Basildon to be close to friends and relations. However, that does not mean that they had a need to live in Basildon; it means only that there was a demand to live in Basildon. The system therefore effectively invites Travellers to pitch their caravan in a district of their choice and the local authority is simply expected to cope. That gives Travellers a perverse incentive to develop green belt land without permission.

Meanwhile, when site numbers are reallocated to local authorities, the system fails to recognise, relative to their neighbours, how much a local authority has already done in providing authorised sites. The system also fails to recognise the extent of the green belt that restricts the supply of land for development. Both those factors are pertinent to Basildon. Why is Basildon district council now expected to take on an additional 81 sites and pitches—more than any other local authority in Essex—when it has already done more than any other local authority to provide authorised sites in the first place? The hon. Member for Montgomeryshire referred to that point.

The report that we are debating rightly states:

> "It is clearly unacceptable for any authority to take the position that it has 'enough' of any particular group within a community, or that it will only meet the needs of those people when its neighbours do likewise."

However, that is not the issue. The issue is one of resources rather than ethnicity, because of the shortage of land for development in green belt areas, but it is also an issue of fairness. Individual councils cannot be expected to provide ever more sites regardless of how much they have already done to address a regional responsibility that is not being shared by neighbouring authorities. However, that is what is expected of Basildon. It is simply unfair, yet the system does not recognise that.

Basildon district receives a bad press in certain quarters, perhaps because it is seen as anti-Traveller, but, more than any other community, it has done more than its fair share in providing authorised sites and pitches. It has a long and proud history of association with the Gypsy community. Basildon district's community believes that no one should be discriminated against. All it is asking is that everyone abide by the same laws and regulations regardless of race, gender or whatever, yet it is being asked to do the lion's share in providing additional sites, simply because it already has a large number of authorised sites and therefore unauthorised caravans. That is not fair. There is a failure in the system that is not being addressed by the Government and it is discriminating against the law-abiding citizens of Basildon district. I heard nothing from the Minister to address that issue.

We can all talk about fairness and equality, but unless there is concrete action to ensure that they are enforced on the ground, both for the Travellers and for the settled community, people are left open to discrimination. The system discriminates against local residents because it does not take into account the fact that we have already done more than our fair share of providing for the responsibility—I call it a responsibility, not a problem—while other councils have done almost nothing, yet when it comes to the provision of additional sites they are not expected to do much more either. There is a fundamental flaw in the system, and I ask the Minister to go back to the Department and examine it again. There were many sweet words in his speech, but the fundamental issue was not addressed.

Lembit Öpik: I made the same point. Does the hon. Gentleman agree that it is not realistic to expect local authorities to negotiate among themselves, because they probably just will not do that? As a result, some intervention is required from central Government to ensure that the burden is shared equitably. Let us remember that we have all agreed that Travellers are not evil people. They are a different kind of alternative community. The Government should not be afraid of imposing a strategic settlement, given that they are not spreading evil but simply ensuring that the needs of the travelling community are respected on a regional basis.

Mr. Baron: Yes, I think we agree on this. That is why I referred to my Greenbelt Protection Bill, which I introduced back in 2003. It had good cross-party support and argued the case for obliging councils to provide additional sites where there was genuine need. I was sorry that the Government blocked that Bill or at least did not explore it further because, as I have said, many of the problems that we are discussing now would not have to be discussed if the Government had accepted the principle that more needs to be done to share the responsibility, rather than leaving the issue to be decided by local authorities.

The problem with the system is illustrated by the single issue review being carried out by the East of England regional assembly. Basildon council is being required to provide 81 sites in addition to the 100 or so that we already have. Meanwhile, some neighbouring councils that offer no provision at all will have to provide only 15 in total—an absurdity and an injustice. That, in miniature, is the problem with site provision.

The system confuses demand with need, penalises councils that have already done most to accommodate Gypsies and Travellers, and essentially gives Travellers an invitation to drive a coach and horses through the planning law and green belt, because illegal sites will implicitly be rewarded with authorised sites. That is absolute nonsense, but yet again the Government are doing nothing about it. They scratch their head and wonder why there is so much public anger about the issue when they are being so unfair in ignoring the plight of councils that have done more than their fair share in coping with the responsibility.

I expressed my opposition to the EERA plans through the consultation process and strongly urged local people to do likewise. My hope is that the Government now recognise that the proposals are illogical and will ask EERA to think again. I ask the Minister to take that message back to the Department after the debate. It is a question of fairness for everyone, not just for Travellers, that the issue be properly and urgently addressed.

Mr. Slaughter: I understand entirely what the hon. Gentleman is asking for; I am not quite sure why he is asking for it. Is he saying that it is additional provision for Gypsies and Travellers per se that he objects to? Is he saying that it is the lack of suitable sites, or is it lack of central Government funding?

Mr. Baron: The hon. Gentleman was unfortunately out of the Chamber when I began my remarks—a point that he is indicating he accepts. Had he been here, he would have heard that I am arguing for additional sites. That is why I refer back to my private Member's Bill. It strongly argued for additional sites and obliging councils to provide them, because I genuinely believe that without additional sites there can be no long-term solution to the problem. That is what I am arguing for.

I have talked enough about the need for more authorised sites and the unfairness of how the system works. I hope that the Minister takes those points on board, and I look forward to hearing what he has to say about that.

I am conscious of the time, but I would like to speak briefly about enforcement. I was surprised that the report concluded that

"existing enforcement powers are sufficient".

For the benefit of the hon. Member for Ealing, Acton and Shepherd's Bush (Mr. Slaughter), who was not in the Chamber when I kicked off, I said that my Greenbelt Protection Bill took a twin-track approach. Yes, there is an urgent need to provide more authorised sites. The other side of the twin-track approach is that greater powers need to be given to councils to enforce planning regulations against the minority of Travellers who persist in breaking the law. However, a council would have been given greater enforcement powers only if it had done its bit in providing enough authorised sites.

The report's conclusion fails to recognise either the weakness of the law or the misery of residents living close to illegal sites. It says that the problem of enforcement ultimately comes back to site provision. That might be true as a macro-analysis of the Traveller phenomenon, but it has little bearing on individual cases. Providing more sites is not enforcement; enforcement means taking effective action against those who break the law.

What are the problems with the law? The planning regulations, for one, cannot effectively deal with a determined minority who buy green belt land—there has been a lot of talk about trespass, but it goes deeper than that—and illegally and speedily develop it, as is the case with Dale farm in Crays Hill. The report is right to highlight the problem of retrospective planning permission and the timetable for appeals, which put enforcement notices on hold, sometimes for years. That leaves Travellers free to continue to build on their developments.

The report is also right to highlight the mistake of a former Secretary of State, who in effect granted the Dale farm Travellers planning permission for two years—a stay of execution, as it were. The Travellers were meant to use that time to identify another site and move on. Instead, the number of caravans went up significantly, which made the issue much more difficult to deal with, as we are now seeing. That problem was of the Government's making, and the report says so. Many of us argued against the two-year extension, but again the Government were not listening.

I accept that the hon. Member for Cardiff, North (Julie Morgan) is completely well intentioned, but I think that on this point she is misguided. It is tempting but in my view too simplistic to argue, as the report does, that it can never be acceptable to force eviction if it is claimed that the Travellers have nowhere else to go. If I am wrong in saying that that was being suggested, this is an opportunity to put the record straight, but I believe that what the hon. Lady suggests is the pathway to giving Travellers the go-ahead to build on the green belt, at a time and place of their choosing, with complete immunity.

It surprises me, in all honesty, that the hon. Lady seems to agree that it is okay for Travellers to break planning law and regulations if they can claim that there is nowhere else to go. That is wrong. It gives Travellers a green light to set up illegal encampments on green belt land and to contravene planning regulations. That causes tension between local communities—the feeling that Travellers are somehow above the law and can get away with it. The view that the hon. Lady takes is completely wrong; it can help to create those tensions.

If we go down the road of saying that Travellers should be allowed to break planning regulations, buy green belt land and develop it, that will create the clear

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view among the settled community that the Travellers are above the law. The hon. Lady may not recognise it, but that contributes to tensions. It is the unfairness of the situation; the law should apply equally to everyone, not only to the settled community. Frankly, I am surprised that she even suggests this.

Julie Morgan: I accept that the law should apply equally to everybody, but I also believe that everyone should be entitled to a home. Gypsies or Travellers without a home are in a hugely disadvantaged position compared with those in the settled community. It is important that we should sometimes put ourselves in the position of the Gypsies and Travellers. I know that the hon. Gentleman is considering the law-abiding, settled community, but many law-abiding Gypsies and Travellers have nowhere to go. The number involved is small and I believe that we can sort this out by providing enough authorised sites—I know he agrees with that.

Mr. Baron: I take on board what the hon. Lady says. We all agree and this has been a well-informed debate. No one disagrees with the fact that we need more sites, but we must move on.

The hon. Lady suggests that it is okay for Travellers to break planning regulations and for us not to pursue eviction in that small minority of cases. I agree that we are talking about a minority of Travellers, but we are also talking about the law being fairly applied to everyone, including that minority. I am surprised that she should say that it is okay for Travellers to break planning regulations if they can claim that there is nowhere else to go.

I suggest that that is a dangerous road to go down, because it ultimately leads to the law of the jungle. As I said, it will allow a coach and horses to be driven through green-belt policy and it will help to create tension between the Travellers and the settled community. If the hon. Lady does not realise that that is the case, I suggest that she reconsider the matter. What creates tensions is the feeling that the system is unfair and that the Travellers are somehow being favoured or are above the law.

I shall move on. There are good things in the report, but also bad things, and enforcement is one. The report might have considered enforcement with more urgency had the task group been slightly more balanced in its approach. Indeed, Gypsies and Travellers were invited to sit as members of the group and give their views on a range of issues—perfectly understandably—but to my knowledge the local residents who have to live close to illegal sites were not. The group visited many Gypsy and Traveller sites, but nothing was said about the group gathering the views and experiences of those in the settled community who have to live close to illegal sites. Again, that is somewhat biased and unfair.

The report recommends that Ministers should meet Gypsies and Travellers to discuss their concerns about racial definitions. I am all for that. Where is the recommendation, long overdue, for Ministers to meet local residents? Every time I make such a request, it is turned down.

The Minister and one other Member mentioned that the report gives moral support to politicians who challenge public opinion in defence of Gypsies and Travellers. Where is the support for those, including me, who have been verbally abused by a group of Travellers—the Travellers were then accused by the police of doing over an old lady—or those who have had their homes targeted by Travellers simply for trying to uphold planning law and restore the green-belt land to its original condition?

No moral support is given to those who advocate fairness before the law for everyone, not only a minority. Again, the report smacks of bias. A more even-handed and balanced approach, collecting views across the community and not only from Travellers and Gypsies, would have given the report greater credibility, but such an approach was not taken, which is a fatal flaw.

No wonder the settled community feels discriminated against and the Travellers are seen to be above the law. Residents see the law failing to deal with Travellers illegally concreting over swathes of the green belt, yet they have to abide by planning regulations imposed by the council.

We know that more authorised sites are needed. The problem of illegal sites will be understood and resolved only when the concerns and experiences of local residents who live close to illegal developments are heard and addressed. There is not much evidence of that in the report. The report therefore does not provide the balanced view required to come to a sensible solution to the problem.

The report touches on the question of antisocial behaviour. Many of those of my constituents who live close to illegal developments have suffered from antisocial behaviour. That should be properly understood before we accept the report's conclusion—it is there in black and white—that illegal sites should be tolerated without resorting to firmer enforcement measures.

The problems locally, at least in my constituency, have gone well beyond fly-tipping; they include the intimidation of the settled community. I am copied in on a steady stream of e-mails to the police reporting a number of incidents, including vandalism and young people throwing stones and firing air rifles. I have had to deal with local people whose water supply has been diverted by some Travellers whose presence is illegal. We have complaints about the speed and volume of traffic going down narrow lanes, and even gas cylinders are being piled up around the entrance of an illegal site, as if to warn off unwanted visitors.

Royal Mail refuses to deliver post to two of the illegal sites in question because it is unable to guarantee the safety of staff following an incident involving dangerous dogs. I have criticised Royal Mail management for taking that decision, not least because the police offered to provide an escort—after I had convened a meeting to try to bring everybody together in what I hope was a sensible way. We should not allow any part of the community become a no-go area for public services. However, that example shows the problems generated by those illegal sites.

I am not attributing such problems to Travellers in general—I am talking about a minority—but I refer to the problem of antisocial behaviour because of the report's finding that illegal sites should be tolerated without resort to firmer enforcement action. That has to be wrong. Again, it is a question of fairness. My constituents cannot understand why it should be so difficult to take effective action against those who have so brazenly broken the law. It appears to my constituents that there is one law for the Travellers and another for the settled community. All my constituents ask is that the law be fairly applied to everyone. No one seeks to discriminate against the minority, but it seems that local residents are being discriminated against.

As long as need is assessed in terms of the number of unauthorised sites and the law cannot evict Travellers if that means making them homeless, local residents will continue to be discriminated against, the green belt will continue to be put at risk and the integrity of the planning system will continue to be undermined. There comes a point when we have to take the defence of our green belt seriously. There are authorised sites, but planning laws need to be respected and that is not happening.

The report is right to say that more sites are needed, as I suggested, but it has failed to understand the problems of enforcement. Until the experiences of those who have to live near illegal sites are understood, the problems will not be resolved. I re-emphasise that it is a shame that the report did not do more to solicit the views of those people. We might agree that more sites are needed, but that does not mean that we should allow Travellers to contravene planning regulations with impunity. That is unfair on local residents, who must abide by the law.

In all honesty, the Minister should look again at the report and address the issues that other hon. Members and I have raised: the unfairness of the site allocation mechanism discriminates against the councils that have done more than others to provide authorised sites, and enforcement powers need to be revisited—it is totally unacceptable for any Member of this place to suggest that planning regulations can be contravened if Travellers claim that they have nowhere else to go.

We accept that more sites are needed and I hope that the Government build on the report's many recommendations to bring those sites forward. I am sorry that the Government have not done more to date. The problem was evident years ago, so they have failed in that respect.

I look forward to hearing what the Minister has to say on obliging councils to provide more authorised sites on an equitable basis. If that is not done, tensions in our local communities will increase, particularly in those that have done more than most to address the site provision need that we agree needs to be addressed. I sincerely hope that the Minister reflects on the debate and reconsiders the recommendations in the report that need correcting.

4.22 pm

Mr. Andy Slaughter (Ealing, Acton and Shepherd's Bush) (Lab): I welcome the report, the Government response and the debate. It is perhaps a pity that it is being held on one of the least auspicious days for getting Members to take part. If they are not already off on recess, they are in Crewe. The Government Whips think I am there at the moment, so I hope that they do not read the report of this debate.

It is good that we are having such a measured and informed debate, and I welcome the fact that the Government response says that there might be an opportunity for a wider debate on Gypsy and Traveller issues in future. The reasons why such a debate is somewhat overdue have been given.

I should like to express my appreciation of the independent report and the work of Sir Brian Briscoe and his team, especially on expanding it to cover Government support for enforcement and provision. The two matters are not only clearly linked, but one is subsidiary to the other—provision is the key. Sir Brian sums that up in the foreword to his report, part of which has been quoted. He says:

> "The Task Group discovered that the scale of the problem was small"—

one might not always believe that when one reads media reports—and that the unmet requirement is for 4,000 pitches, or

> "less than one square mile of land across the country".

He also acknowledges that Government policy, at least from 2004, has been correct, and the independent task group considers

> "that if it is implemented with vigour by central and local government, there is a prospect that most of the £18m spent on enforcement could be saved, and the life chances of this most deprived ethnic minority group greatly enhanced".

That is the key to the debate. To a large extent, the problem of lack of suitable sites has been created by politicians, particularly by the Conservative Government and the unwise legislation that they passed in 1994.

On a positive note, I should like to acknowledge the Minister's role in bringing the issue forward. He probably got the essential point even before he became a Minister: the problem is not with Gypsies and Travellers, but with the attitude that some parts of the settled community and some politicians have had towards those communities in the past. In the foreword to the Government response, the Minister highlights the appalling inequalities, including the facts that the life expectancy of Gypsies and Travellers is 10 years less than the national average, the community has twice the level of long-term illness, and a four-times less achievement of results at GCSE level. Such inequality and disparity would not be tolerated within any other community in the country, which is why, with respect to the hon. Member for Billericay (Mr. Baron), most Gypsies and Travellers would find it surprising to be told that they are favoured or above the law. In many respects, they are still discriminated against, which the report in part aims to address.

Finally, I should like without embarrassing her unduly to pay tribute to my hon. Friend the Member for Cardiff, North (Julie Morgan), who does an enormous amount of work on the subject through the all-party Gypsy and Traveller law reform group. The group is supported by the Traveller Law Reform Project and its representative Richard Solly and by many Gypsy and Traveller representatives who attend. The group is going from strength to strength and holds a variety of well-informed seminars and meetings, and lobbies the Minister from time to time.

I support the general thrust of the report, but I have four points to make in relation to it. I do not agree with what the Government response says on advice services. Whether because of changes to the Legal Services Commission provision or severe local government cuts, advice services are not adequate for many groups, including Gypsies and Travellers. Clearly, those groups often do

[Mr. Andy Slaughter]

not have access to the best legal or other advice, which is a lacuna that the Government and local authorities ought to address.

The insufficiency and lack of quality of housing provision has been mentioned. My hon. Friend the Member for Cardiff, North alluded to some of the types of site. When she talked about sites under motorways, she was probably thinking of the Westway site, which is in a constituency that neighbours mine. The all-party group visited it last year. From a public health and personal safety point of view, if it is typical of Gypsy and Traveller sites—I sincerely hope that it is not—it illustrates the inadequacy of current provision.

I am glad to see that security of tenure is being addressed, at least in part, through the Housing and Regeneration Bill, which my hon. Friend the Minister took through the House quite recently. I hope that we pursue the issue so that there is genuine equality in security of tenure for Gypsy and Traveller communities. I am concerned that the Conservative party and some Conservative-controlled local authorities are making moves to weaken security of tenure for all social tenants—that is their intention. We should be moving in the other direction and extending security of tenure, particularly in social housing.

On funding, I welcome the £97 million to which the Minister alluded in the response. Although I believe in local government autonomy, he will need to keep a close eye to ensure that local authorities are using the money that central Government provide properly. I have heard recent examples of local authorities misusing Government money provided specifically to tackle homelessness and reduce the number of families in temporary accommodation by housing families in unsuitable locations, often far from family links and outside the local authority area, and using the provision of additional Government moneys as an excuse to do less themselves. If the Government's purpose is to enhance provision and resolve the shortage of suitable sites, as I believe it is, that must be done and local authorities should not be allowed to duck out.

Although I understand why the Minister may not be able to answer this point immediately, I support entirely the task group's request for Gypsies and Travellers to be counted as a separate ethnic group for the purposes of the next census. It is important that we know how many Gypsies and Irish Travellers live in the UK. Unless we know how many are here, it is difficult to assess adequately how much Government support should be provided. The problem is not exclusive to Gypsy and Traveller communities, but it is an omission, given that they are clearly recognised as separate ethnic groups.

More generally, my hon. Friend the Member for Cardiff, North raised the issue of lifestyle and its importance. I emphasise that in ensuring sufficient provision, we must ensure that it is suitable provision. That means that Gypsies and Travellers must have the opportunity to continue an itinerant lifestyle, so provision should include stopping and transit places as well as permanent sites.

I welcome the initiative by the Department for Children, Schools and Families, which other hon. Members have mentioned, on Roma, Gypsy and Traveller history month. I endorse entirely the comments of the noble Lord Adonis:

> "We can challenge myths, tackle prejudice and be in a position to offer a balanced debate about the issues. We will all be able to celebrate the richness that Gypsy, Roma and Travellers communities bring to our everyday lives through their many and varied academic and artistic achievements."

As the hon. Member for Montgomeryshire (Lembit Öpik) said, it is about time that there was more concentration on the contribution that Gypsies and Travellers make to the cultural and social life of this country and less on descriptions of the problems associated with lack of provision.

I am honoured to have been asked to speak at a two-day seminar and festival for the Irish Traveller community at the Irish centre in Hammersmith. I notice that I have been asked to speak at the policy seminar rather than indulge in the music, song and dance part, but perhaps that will come later. The Irish centre is a very fine building in Hammersmith—I say that because I helped to ensure that it is there—which was opened by the Deputy Taoiseach some 15 years ago. It is a centre for the Irish community, and it is right that it should also be the venue for celebrating Irish Traveller culture, and that the Irish ambassador should be there to open the celebration. It is the positive aspects of Gypsy and Traveller life in the UK that we should celebrate.

A great deal of discrimination against Gypsies and Travellers persists in this country. I do not want to exaggerate the problem, but I am conscious of what we have all read in the papers, even today, about what is happening in Italy. We must all be shocked to see such events happening in a democracy and an EU country. They follow some horrific instances of discrimination and violence in central and eastern European countries that have led a number of Roma people in particular to seek asylum here, but I did not expect the scenes that we have witnessed in Naples in the past week. Today's edtition of *The Guardian* says:

> "In Naples last week, a Roma camp was repeatedly attacked... After the inhabitants had been moved for their own protection, the buildings and caravans were burned to the ground, apparently by vigilantes acting on orders from the Neapolitan mafia, the Camorra. The incident, together with a string of raids by police on Roma encampments, has shocked Gypsy communities."

I hope that events of that kind—they have been described rightly as equivalent to pogroms—never occur in this country.

What is most worrying is not the involvement of organised crime but the Italian Government's role in harassing Gypsy and Roma communities. The article begins by discussing the new laws that the new right-wing Italian Government intend to introduce, under which

> "local authorities would be empowered to check on the living conditions of citizens from other EU nations before granting them right of residence. The measure appeared to be aimed at Roma living in encampments".

Such negative state intervention in an EU country is something that I hope will not occur in the UK. I have said that we are, I hope, moving in the opposite direction, but we must remain vigilant.

As other hon. Members have said during this debate, we encounter—I have encountered it in my professional life in the criminal justice system, education and housing—discrimination in this country against Gypsy and Traveller people that I do not believe would be tolerated against any other ethnic minority. For that reason, I believe that resolving the shortage of site provision and the difficulties so often and disproportionately highlighted in the media may be the single most important thing that we as a party and a Government can do to ensure that no opportunity is given to those who wish to exploit, for the most nefarious reasons, discrimination and prejudice against Gypsy, Roma and Traveller people in this country. The report is to be welcomed. The Government are acting on the right lines; I just think that they should probably get on with it a bit more.

4.37 pm

Mr. Iain Wright: With the leave of the House, I shall respond to the many points made by hon. Members. As I expected, the debate has been dignified and measured, which is a tribute to the hon. Members who have participated.

I agreed with a lot of what the hon. Member for Bromley and Chislehurst (Robert Neill) said, and I acknowledge his comment that he is keen to have a sensible debate about the provision of authorised and well managed sites. I disagreed with him on a number of points, however. He hinted—it might even have been stronger than that—that a lot of the opposition from the settled community was a response to the fact that, as he thinks, the planning system is moving further away from local people and that there is little local accountability. I think that that was the gist of his argument. I tend to disagree. There is accountability.

The hon. Gentleman knows well that decisions on planning applications are, rightly, a matter for the local planning authority. It is also the responsibility of local councils to identify appropriate sites within their development plan documents. The regional assemblies—I shall return to this when I respond to the points made by the hon. Member for Billericay (Mr. Baron)—provide the overview of the need for Gypsy and Traveller sites throughout the region. I stress that they use the information in locally prepared Gypsy and Traveller accommodation assessments to do so. I disagree with the idea that local people are somehow excluded from the process.

The hon. Member for Bromley and Chislehurst also hinted that our suggested reforms, which would bring together the regional economic strategy and the regional spatial strategy and move responsibility away from regional assemblies to regional development agencies, would also make the process unaccountable. Again, I disagree. That package of measures is contained in the sub-national review, which is out for consultation now; that will strengthen accountability, particularly at local level. It would give local authorities a responsibility to assess economic development in their area—this is slightly on a tangent to our discussion, but it is still relevant—and give directly elected local authorities a strong role in developing the regional strategy. A forum of leaders representing all local authorities in the region would agree the draft regional strategy on behalf of those authorities and hold the RDAs to account. I reiterate that we are not taking accountability away from local people with regards to the provision of Gypsy and Traveller sites or any matter relating to spatial planning.

The hon. Gentleman mentioned how temporary stop notices are not being enforced or used as much as they should be. The task group examined that matter and the provision of enforcement measures, including temporary stop notices, and, as has been said many times this afternoon, it found those powers to be adequate. If local authorities can act quickly and perhaps provide an out-of-hours service to cover weekends, the use of a temporary stop notice can halt inappropriate developments immediately. I return again and again to the point that we need to have suitable identification of authorised sites.

The hon. Gentleman also hinted at the idea of stopping retrospective planning applications by Gypsy and Traveller communities. As a good former councillor and a member of the London assembly, he will know that, as much as we want to minimise retrospective planning applications by ensuring that we have pre-application discussions, everyone can apply for retrospective planning applications. It would be neither appropriate nor fair—to use a word often used this afternoon—to target one particular group of people by removing its right to retrospective applications.

Robert Neill: To make myself clear, I suggested that we should look generally at retrospective planning application where there has been a conscious breach of planning law. That is slightly different from what the Minister suggested. I simply used the example of unauthorised Gypsy and Traveller sites.

Mr. Wright: I am grateful to the hon. Gentleman for clarifying his stance, which chimes with that of his colleague the hon. Member for Billericay in some respects. I return to the point that we need more authorised, well-managed sites in order to deal with the problem. That is the key. We need to push forward together to ensure that that happens.

The task group looked specifically at retrospective planning authorisation and concluded that its

"removal would create more problems than it would solve. Anyone who unintentionally"—

that is an important word in respect of the argument made by the hon. Member for Bromley and Chislehurst—

"breached planning control would be affected by such a change, however minor the nature of the breach—raising the height of a fence, for example".

I would therefore not support its removal.

The hon. Gentleman also mentioned how we could incentivise local authorities to consider providing more authorised sites. The £97 million for the next three years to provide additional sites, which I would suggest is a considerable carrot for local authorities, has been stressed by me and other hon. Members this afternoon. Furthermore, I think that every single hon. Member here has pointed out that the £18 million per year enforcement costs could be swiftly and substantially cut if local authorities grasped the nettle, as has been done elsewhere—I am thinking of Bristol city council—ensured the provision of well-managed, authorised sites and guarded against the problems of community tension and the enforcement costs that arise from them. As I said in my opening speech, I think that everyone wins with the provision of authorised sites—council tax payers, Gypsies and Travellers, and the settled community in general.

Mr. Baron: The Minister is absolutely right; we all agree that we need more authorised sites. However, I pose to him the question that I put to the hon. Member for Cardiff, North (Julie Morgan) about enforcement:

[Mr. Baron]

does he believe that Travellers should be allowed to break planning regulations if they claim that they have nowhere else to go? That would be interesting to know, because we have not heard about that from him yet.

Mr. Wright: I enjoyed the little joust between the hon. Gentleman and my hon. Friend. Given that he represents Billericay and she represents a Welsh seat, it struck me as the parliamentary equivalent of "Gavin and Stacey"—I thought that that was quite good, if perhaps not as funny.

I do not think that it is acceptable for Travellers to break planning regulations, but it is understandable, given the lack of authorised sites, which has been mentioned time and again. The key question is how do we ensure that local authorities and other relevant agencies help to provide more authorised sites? I have responsibility for housing; I come to this Chamber regularly to discuss housing and the idea that we need to redress the imbalance of demand and supply in this country, which has not been tackled for a generation. We must produce 3 million new homes by 2020 and ensure that those homes are built where they are needed. We return to the same point in today's debate—the importance of meeting accommodation needs, whether of the settled community or the Gypsy and Traveller communities. I shall return to that and the points made by the hon. Member for Billericay about Basildon in a moment.

The hon. Member for Montgomeryshire (Lembit Öpik) made an excellent speech; I agreed with an awful lot of what he said. Like his hon. Friend the hon. Member for St. Ives (Andrew George), he mentioned linking the provision of Gypsy and Traveller accommodation and sites with infrastructure such as health and education. I would bring together those points and the ones made by the hon. Member for Billericay: we are not talking about 3 million homes, but the relatively solvable problem of providing 4,000 additional pitches, spread throughout the length and breadth of this country, covering about 1 square mile. We can sort this.

I refer the hon. Member for Montgomeryshire to some of the detail in the report, because it is quite interesting. In the main—there are exceptions—Gypsy and Traveller sites tend to be small. According to the report, the average authorised site has about four or five caravans; a private authorised site tends to have about six, and a public authorised site tends to have about 22. The idea that we need to build a super-hospital or a big comprehensive school on the back of Gypsy and Traveller provision is exaggerated. They could be easily accommodated by local authorities' existing structures and local primary care trusts' strategic objectives, because they are on a relatively small scale.

The hon. Gentleman also mentioned the use of police powers. Gypsies and Travellers are not above the law. I would not wish to send out the opposite message. Powers available to tackle crime and antisocial behaviour caused by members of Gypsy and Traveller communities are the same as those used on any other member of society. In direct response to his line of questioning, I would point out that the Association of Chief Police Officers is leading a group developing a police policy for managing unauthorised encampments, which will be published later this year. Practical advice for the police and other agencies on the policing of Roma Gypsies and Irish Travellers, compiled on behalf of the Home Office, the National Policing Improvement Agency and my Department, is also due to be published later this year. We will have a good toolkit to ensure that problems with antisocial behaviour among Gypsy and Traveller sites are dealt with.

The hon. Gentleman also mentioned how the provision of authorised sites more or less pays for itself in the short to medium term. I agree with that extremely important point.

Mr. Baron: The hon. Member for Montgomeryshire (Lembit Öpik) and I touched on the methodology for allocating sites. I know that the Minister said that he would come to that, and I am conscious that time is short, but does he accept that the current system does not recognise the good work that many local councils do in already providing authorised sites? For example, Basildon district council has already provided about 100 authorised sites—more than any other council in Essex—but because a large number of authorised sites often results in a large number of unauthorised sites, it will take the lion's share of any additional sites to be apportioned. Does he accept that that is unfair and, if so, what is he going to do about it?

Mr. Wright: If the hon. Gentleman could be patient for just a little while, I will address his point about Basildon and the proposed 81 additional sites when I reply to his contribution.

Let me go back to the points raised by the hon. Member for Montgomeryshire. He was talking about additional funding to support cohesion between Gypsy and Traveller communities and the settled community. The area-based grant has been distributed to local authorities to support work on building community cohesion in particular areas. Local authorities should consider how that money can best be spent in their particular area. In places in which there are significant tensions between Gypsies, Travellers and the settled community, part of that funding should be used to address those specific issues. The Connecting Community Plus grant is also available to support community groups in building the cohesion to which the hon. Gentleman referred. Two Gypsy and Traveller groups are among the 70 groups that have received funding under this programme. I hope, therefore, that he is reassured that funding is available.

The hon. Gentleman also mentioned role models, which is an important point. I want to respond to the political consensus that we have seen for trying to tackle the racism and the bigotry. I also want to get representatives of the Gypsy and Traveller communities themselves to publicise the good work that they do on behalf of their own communities and of society in general. Frankly, I am a bloke in a suit. I do not think that I am the best champion of Gypsies and Travellers in that regard. Representatives from the particular communities would be great advocates and champions of what they do, and we need to consider how we can achieve that.

Lembit Öpik: I am fairly impressed with the Minister's response. I think that he has addressed a number of the issues, and I am encouraged by the outline of the funding available for community cohesion with regard to integrating Travellers and Gypsies. The one thing that he has not explicitly addressed is my belief that it would take a strategic mandate from central Government to ensure that local authorities pull their weight and provide authorised sites. That point was echoed by the hon. Member for Billericay (Mr. Baron). Will the Minister either share his perspective on that now or write to those of us in the debate today about how he feels that the Government might be able to work in partnership with local authorities to spread the load?

Mr. Wright: I remember vividly thinking about that when the hon. Gentleman was speaking. With the greatest of respect—I am not trying to score political points here—what he was saying seems to be at odds with what the Liberal Democrats advocate on locally devolved decisions. We were talking about challenging decisions before, and I hope that the reforms that we are putting in place with regard to the sub-national review and the single integrated regional strategy, which will be agreed by the forum of local authority leaders, will enable a trade-off to take place—I think that the House knows what I mean by that—without having centrally dictated targets or moves. That is the best approach to take.

Lembit Öpik: I do not want to pursue this matter as a dialogue, but the time for central Government to intervene is when local considerations and expedients prevent the strategically right thing from happening regionally. I am encouraged if the Minister is convinced that the structures are in place for that to happen. I hope that he will at least confirm that he will keep a watching brief on the matter. If we still have a clumping of the sites, perhaps the Government might return to the issue in the future.

Mr. Wright: The hon. Gentleman has made a good point: I am confident that our existing structures and framework, in conjunction with the reforms that we are pulling together in the sub-national review and in the regional governance matter, will be sufficient. However, I pledge to keep an eye on the matter. Given the central push of this Department and the Government's policy on community empowerment and devolving power away from the centre into local communities, I think that we are doing exactly the right thing. I think that he agrees with me on that. The existing framework and the proposed approach are the right way to address the issue.

Let me pay tribute to the fantastic work that my hon. Friend the Member for Cardiff, North (Julie Morgan) does on this issue. She made a number of excellent points in her first-class contribution. She rightly mentioned that people in caravans pay their way, and pay council tax. Therefore, we need to start blowing out of the water the myth that they do not. She reiterated her view about how we need to accelerate progress and also made a very telling point. There are many problems with Gypsies and Travellers moving out of caravans into bricks and mortar accommodation. I had the pleasure to address a conference organised by Shelter three months ago. Shelter produced a report analysing the problem and raising the issue of stress and increased levels of depression, so she was spot on. It is a problem that we need to address. The hon. Member for Montgomeryshire made a similarly telling point in one of his interventions.

My hon. Friend raised several pertinent issues. She talked about reviewing the definition of Gypsies and Travellers within planning legislation. No one is suggesting that those who are found to have Gypsy status for planning purposes are not classed as ethnic Gypsies. We all know that, under the Race Relations Act 1974, Gypsies are classed as ethnic minorities. The problem that I have with that though is that the planning system should not, and does not, seek to discriminate between one ethnic minority and another. Everybody is treated equally when it comes to the development of land, and that is quite right in my opinion. I know that it can be very frustrating for Gypsies suddenly to find themselves not being defined as having so-called Gypsy status. However, I reiterate the point that the planning system should—as much as possible—be blind to the idea of ethnicity. I hope that my hon. Friend agrees with that.

My hon. Friend also mentioned the difficulties of relocating Gypsy and Traveller sites from the Olympic zone. I understand and appreciate the points that she raised there. The development of the Olympic zone has led to the relocation of many business and homes. In all cases, local authorities should and must take into account the concerns and needs of all stakeholders regardless of whether they are businesses, Gypsies or Travellers. I hope that she is reassured that we continue to encourage local authorities and their partners to provide suitable and sustainable accommodation for Gypsies and Travellers who have been relocated from the Olympic site—as they are required to do for all members of the community.

Julie Morgan: I was at one of the sites from which Gypsies have been forced to move. Certainly, there was a lot of concern about the length of time the relocation had taken, about the fact that the location was not suitable and that it was opposed by Travellers and residents themselves. The Gypsies and Travellers have gone through a great deal of uncertainty and it is important to recognise that the Gypsies and Travellers who have been affected by the Olympics have suffered and that, in many ways, the process has not worked as well as it should have done. Perhaps there should be an assessment of how the relocation has been carried out and what will happen after the Olympics have finished. Will the Gypsies and Travellers have an opportunity to go back to the area? There are many issues that we need to consider.

Mr. Wright: My hon. Friend makes some valid points. Some of the suggestions that she has made should be taken up. Given the huge regeneration that is taking place in the run-up to 2012, I will consider further how we can ensure that the needs of all the communities within the Olympic zone can best be accommodated.

My hon. Friend also talked about shortening the appeal period. The measure to allow the planning inspectorate to link enforcement and planning appeals more effectively will close a loophole in the system, which allows applicants to retain unauthorised building works or continue operating unauthorised uses for as long as possible. We consulted on that measure as part of a package of reforms to improve the efficiency of the planning appeal system as a whole. The proposal received strong support, with about 90 per cent. of respondents indicating that they agreed or strongly agreed with it. We are currently working on the secondary legislation

[Mr. Iain Wright]

necessary to take forward the proposal, and we will update our impact assessment as part of that exercise. I shall obviously consider my hon. Friend's points.

The hon. Member for Billericay made an excellent speech. It was measured and dignified and supported his constituents, for which I commend him. He mentioned unauthorised encampments such as those at Dale farm. With the greatest of respect, I must say that those problems reflect the existing shortfall in accommodation for Gypsies and Travellers across the country, although I appreciate the specific circumstances in his area. The Government have put in place a framework to meet the need for accommodation, including by requiring local planning authorities to allocate sufficient land in planning documents to meet the needs of Gypsies and Travellers who have no authorised place to stay.

The hon. Gentleman will appreciate that because of the circumstances, I cannot comment on the High Court's decision, but I encourage Basildon district council to work with neighbouring authorities to ensure that the situation at Dale farm is addressed responsibly and that urgent work is undertaken to address the shortage of authorised Gypsy and Traveller accommodation in the region.

The hon. Gentleman asked the important question why Basildon should provide so many pitches when other local authorities in the area do not or are unwilling to. That brings into play the point that I made about local and regional organisations working together. The regional assembly should, and does, take a strategic view about where Gypsy and Traveller accommodation should be located across the east of England. It has set out its proposed pitch allocations for each local authority in the region. As he rightly said, those proposals—including Basildon's allocation of 81 additional pitches, which is not even the highest allocation—will be subject to independent examination in the autumn. He will appreciate that it would be entirely wrong of me to offer any opinion on them, due to the quasi-judicial nature of the regional spatial strategy process and the fact that the case might return to the Secretary of State.

Mr. Baron: I appreciate the Minister's kind words. Although I accept his last point, he can comment on the methodology involved. It is apparently unfair to my constituents that, within Essex at least, we are taking the lion's share of the proposed sites, even though we already have more than anywhere else in Essex. It is the lion's share by some measure. Other councils are taking on hardly any and provide none whatever at the moment. Does he think that that is fair, and if not, what can he do now—not right at this minute, but when he goes back to his Department—to try to correct the injustice inherent in that methodology?

Mr. Wright: I shall not be tempted down the road of suggesting whether something is fair in those specific proposals. As I reiterated in relation to the points made by the hon. Member for Montgomeryshire, I am confident that the process that is in place provides suitable public discussion and examination of proposals. I imagine that when the case goes to independent examination in the autumn, the hon. Gentleman will contribute. I cannot say any more than that, because I am conscious of the quasi-judicial nature of the process.

The hon. Gentleman rightly, and importantly, mentioned the impact on the green belt. We had an interesting debate on the Government's green belt policy in Westminster Hall a couple of weeks ago. Guidance on it is set out in planning policy guidance note 2, which is on my Department's website. It makes it clear that green belt policy has not changed and that there is a presumption against any inappropriate development on green belt land, regardless of whether it comes from the settled community or from Gypsy and Traveller communities. That remains the case, and we protect that provision. I am robustly convinced that the green belt should be protected as much as possible and, in the past 10 years, it has increased in size under this Government.

Mr. Baron: May I suggest to the Minister that he is slightly confused about the quasi-judicial nature of the single issue review? I accept that the process with regard to Dale farm is quasi-judicial, but I am referring to the single issue review being conducted by the East of England regional assembly, which proposes that 81 sites should be apportioned to Basildon district. That process is not quasi-judicial; it is open to the public and the law courts are in no way involved. The Minister is free to examine the methodology involved closely, because there is no quasi-judicial process.

Mr. Wright: I am fairly confident that I am correct on that, but I shall examine the matter and write to the hon. Gentleman, if he will allow me.

My hon. Friend the Member for Ealing, Acton and Shepherd's Bush (Mr. Slaughter) made an excellent speech in support of many of, if not all, the recommendations in the task group's report. I commend him on that. He mentioned the problems with regard to the Legal Services Commission, particularly its provision of advice and support to Gypsies and Travellers. The LSC provides an advice line and is not aware of any capacity problems or strains on its funding. It has been brought to my attention that the problem is not necessarily about increasing the number of people who specialise in giving advice, but about increasing awareness of the services offered, and particularly the Gypsy and Traveller telephone advice line. If my hon. Friend has specific concerns about the funding of the service and pressures on the commission's ability to deliver it, I shall be more than happy to meet him to discuss the matter further.

Mr. Slaughter: I am grateful for the offer, given which I shall not detain the Minister on that point this afternoon. I am more concerned about the restrictions on the LSC's funding to local law centres and to the relatively few private practices that are prepared to provide such services. Particularly given the complexity of the problems involved, it is probably most likely that services will be accessed face to face and at local level.

Mr. Wright: What I, and I think the LSC, would expect is for providers to be able to deliver services to meet the full range of their clients' needs, whether face to face or through the telephone advice line. Again, I extend the offer that I am more than happy to meet my hon. Friend to discuss specific issues that he has come across in his constituency and elsewhere, to ensure that we can reach an appropriate resolution.

My hon. Friend mentioned the provision in the Housing and Regeneration Bill to increase and improve security of tenure for Gypsies and Travellers. I pay tribute to him for his sterling work in the Public Bill Committee. He did a fantastic job and made a real, positive contribution to the Bill, which is very important for housing policy in England. I thank him for that. Like the whole House, he will know that the clause that he mentioned will create greater security of tenure for Gypsies and Travellers living on local authority sites. As he rightly said, it will narrow the disparity between Gypsies and Travellers and the mainstream population, which has been a source of genuine grievance for some time. I pay tribute to him for advocating that approach and to my hon. Friend the Member for Cardiff, North, for pushing for that clause.

My hon. Friend the Member for Ealing, Acton and Shepherd's Bush mentioned the issue of Gypsies and Travellers being classed as groups in the census. The independent Office for National Statistics recognises that accurate ethnicity data are important for equality monitoring and service delivery. There are numerous ethnic groups in the UK and, as the House will know, the ONS has received many requests for specific tick boxes to be added to the census.

Following a prioritisation exercise, a "Gypsy or Irish Traveller" tick box—as well as an "Arab" one, incidentally—was recommended for inclusion in the 2011 census in England and Wales to supplement the 2001 classifications. It is not anticipated at this stage that that recommendation will change. However, as I think my hon. Friend implied, and he was right to do so, it should be noted that the final questions for the 2011 census cannot be confirmed until the legislative process is completed and the questionnaire has been approved by Parliament, which is expected to take place in 2010.

The Government's approach has long been to balance firm but fair enforcement against those who camp on land without permission or who breach development control with proactive measures to increase site provision. The task group found that we are right to do so. The task group was also clear that the pace of delivery must increase and we have heard today about the consequences of not providing for the needs of Gypsies and Travellers without an authorised place to stay. As hon. Members on both sides of the House have said, it is now time to take action to meet those needs.

We have had a very interesting and measured debate today. However, our duties to encourage such debates do not leave us when we leave Westminster Hall today and go into recess. We have too many people who depend on us and who are desperate for an authorised place to live. Similarly, the Government's duties to those in the settled community do not simply rest with listening and responding to concerns raised in this House, important though that is. Many people look to the Government to tackle the problems and distress associated with the unauthorised encampments and developments and the antisocial behaviour that hon. Members have described today.

In closing, I want to link those two responsibilities. The Government take extremely seriously the issues that have been raised today and we have taken steps that will result in clear and tangible progress. We can help all our constituents who have real and serious concerns over unauthorised encampments by helping those within our constituencies with no authorised places to stay. By providing new sites and encouraging honest, informed and mature debate about where—not if—those sites should be provided, I strongly and passionately believe that the problems surrounding unauthorised encampments and developments will decrease. The task group found that that was the right thing to do; now it is time to ensure that we deliver.

Question put and agreed to.

Adjourned accordingly at twelve minutes past Five o'clock.

Westminster Hall

Tuesday 3 June 2008

[MR. ERIC MARTLEW *in the Chair*]

Eco-towns

Motion made, and Question proposed, That the sitting be now adjourned.—*[Mark Tami.]*

9.30 am

Miss Anne McIntosh (Vale of York) (Con): I welcome you to the Chair, Mr. Martlew; it is a pleasure to serve under you today. I am delighted to have secured this debate, particularly given the timing, because there is a meeting next week on 12 June to confirm the proposed location that affects my region.

I welcome the Under-Secretary of State for Communities and Local Government, the hon. Member for Hartlepool (Mr. Wright). It is always a pleasure to see him. I did my level best to prevent him from taking his seat in a previous by-election, but he is welcome today. I hope that he is able to share with hon. Members the reason that the Minister for Housing felt unable to be here. I raised this issue in business questions just before the House rose for the recess. To my certain knowledge, the Minister for Housing has never presented herself to the House to make the case in person for eco-towns, take questions from hon. Members and respond to our constituents' concerns. I am sure that there is a good reason for that and I am sure that the Under-Secretary will be able to share it with us. However, it bodes ill for the Government's policy when the Minister mainly responsible for it and who presents it on occasions in the Cabinet does not feel able to attend.

This sorry scenario started on Thursday 3 April at 9 am, when parliamentary convention was breached in the first instance. Rather than the Minister for Housing coming to the House to make an oral statement—there was no pressing business that would have prevented such a statement being made, as is normal practice—I was invited for the first time ever to a conference call with a Minister. I showed willing. I had never experienced such a call before. I found it a little offensive and insulting that the constituents I have the honour to represent were excluded from the process of open parliamentary scrutiny. I was kept on the phone for a full three or four minutes before deciding that this was not the best way forward. So we were faced with a written ministerial statement on Thursday 3 April.

The first noteworthy point is that in the written statement the Housing Minister mentioned the prospectus that the Government announced on the web in July 2007, which set out the key criteria for eco-towns:

> "Eco-towns must be new settlements, separate and distinct from existing towns but well linked to them. They need to be additional to existing plans, with a minimum target of 5,000-10,000 homes".

Presumably, the Government consulted on the basis of that prospectus. So it was surprising that in the written ministerial statement the Minister mentioned new settlements of between 5,000 and 20,000 people. Therefore, the size of the settlements already consulted on had doubled or quadrupled. That goes to the heart of my concerns about the eco-towns policy and the process of presenting it.

Norman Lamb (North Norfolk) (LD): I was fascinated to hear that the hon. Member for Vale of York (Miss McIntosh) had the benefit of a conference call with the Minister for Housing, albeit that she feels that that was an inadequate process. I share her view on that. I have just discovered that another Conservative Member in this Chamber has had the benefit of a conference call. However, I have not. Does the hon. Lady share my concern that this process is opaque and lacking in any public transparency? Does she also share my concern about the time scale over which this is happening? Critical decisions are being reached that will affect local communities substantially without proper time for scrutiny of the procedure.

Miss McIntosh: I am grateful to the hon. Gentleman, because what he said goes to the heart of my concerns about this matter. The Minister for Housing paid hon. Members a grave discourtesy by not presenting herself to the House and, indeed, by not inviting the hon. Gentleman to the conference call that I was unable to attend. The consultation process is flawed.

Mr. Edward Garnier (Harborough) (Con): Further to the intervention by the hon. Member for North Norfolk (Norman Lamb), I took part in the conference call. I was on the line for about 20 minutes, although for the first 10 minutes it was difficult to get through to the Minister for Housing's office. However, it gets worse. Not only did the Minister for Housing try to make her announcement by telephone on a day when Parliament was sitting, but she failed to make a transcript of the call, so there is no permanent record of what the Minister said. I give my hon. Friend the Member for Vale of York my word for what the Minister said, but it would be nice to have an official transcript of that official ministerial statement.

Miss McIntosh: I hope that the Minister in the Chamber today will give a commitment that never again will hon. Members be faced with this procedure, which is wholly inadequate, insulting and offensive. That is not why I stood for Parliament and sought to be elected to represent the people of the Vale of York. I do not know whether the Minister wishes to comment at this stage.

The Parliamentary Under-Secretary of State for Communities and Local Government (Mr. Iain Wright) *indicated dissent.*

Miss McIntosh: Perhaps he will comment at the end.

The press reported that the Minister for Housing said that she would:

> "await the results of a study by councils to find suitable sites before deciding which to shortlist".

Although I know the Vale of York quite well, I was mystified to find, in the ministerial statement, that it is now split between two regions: Leeds city region and another one somewhere else further to the north. I discovered that on a shortlist of 15 locations,

> "A number of eco-town proposals were submitted for locations within the area of Leeds City Region."

[Miss McIntosh]

I took that point up with Leeds city region and received a nonsensical reply on 25 April from Councillor Robert Light, the Leeds city region leaders' board chair—I do not know whether he brings the table with him—who stated the blindingly obvious, saying that the boundaries of Leeds city region include 10 local authority districts of which York is one. He did not tell me whether the eco-town on the Clifton Moor-Skelton site was going to be within the City of York part, which is in the Vale of York.

Only having secured this debate did we have the courtesy of a proper response. My office contacted Leeds city region again and this time we heard from Colin Blackburn, the project manager for the Leeds city region eco-town study, telling us which four locations, all within the Selby district, were going to be included. Incidentally, I am delighted to see the hon. Member for Selby (Mr. Grogan) in his place today. Mr. Blackburn stated not that the City of York or the Vale of York were included, but that,

> "No other locations within the City Region are now being considered."

This process, which takes parliamentarians for a ride, is unfair. I know for a fact that the then leader of City of York council had tremendous difficulties trying to find out which site was included.

Michael Fabricant (Lichfield) (Con): I thank my hon. Friend for giving way and congratulate her on securing this debate. She has mentioned that the Government should make a commitment that there will be consultation and agreement with local authorities. Is she surprised to learn that the proposed eco-town on the Curborough site in Fradley—which incidentally will not be eco in any event because by the time it is ready all buildings will have to be ecologically sound—has no support, either from the West Midlands regional assembly or from Lichfield district council? Moreover, it will cause a huge strain on the local infrastructure and will be ecologically unsound. It will not even be an eco-town.

Miss McIntosh: I am grateful to my hon. Friend for that intervention. There are two separate issues. First, the democratic process has been completely flouted. There has been a flawed consultation process and neither parliamentarians, local residents nor those elected to represent them in local councils have access to the information. The second issue, as my hon. Friend the Member for Lichfield (Michael Fabricant) said, is why these towns will not be sustainable and the fact that they are not environmentally friendly. Interestingly, if the chosen sites were all in Labour heartlands, one would have some sympathy with the Government's point of view and policy. However, all but three sites are in Conservative-held constituencies.

David Taylor (North-West Leicestershire) (Lab/Co-op): I congratulate the hon. Lady on securing the debate. Does she not agree that there is a housing crisis and that the Government are right to set an ambitious target for the building of about 3 million new homes by 2020? Should not at least a proportion of those be in rural areas, even if they are in brownfield settings? Otherwise, people will be penned-up in urban areas and we shall have more ugly, unpleasant urban sprawls, such as Greater Nottingham, which intrudes into the north of North-West Leicestershire. Is there not the potential for eco-towns to contribute to solving our housing crisis?

Miss McIntosh: I am grateful to the hon. Gentleman for that intervention. The point is that if the measures were genuinely about building eco-houses and towns, and constructing homes on brown-field sites, I—and I am sure many of my hon. Friends—would be willing to support them. However, an eco-town was to be located—I am delighted to say it has now finally been excluded—in the Skelton part of the Vale of York in the city of York on a green belt site that is prone to flooding. More roads and houses would have needed to be built and one of the few green belt parts of the city of York would have been concreted over. Most of the towns are to be built on green belt or greenfield sites, on prime agricultural land, or on land that is likely to flood or is at risk from flooding. Obviously, I do not know all the locations, but according to the Government's prospectus, eco-towns do not appear to be separate and distinct from existing towns but well linked to them. Most of the proposed sites seem to be miles away from existing settlements.

Mr. Nick Gibb (Bognor Regis and Littlehampton) (Con): My hon. Friend makes her points well and reflects many of the issues affecting West Sussex, where the Government are trying to impose a development of 5,000 houses. Doing so would turn rural countryside into a vast suburban landscape directly linked to other towns, and would merge villages and such developments into one huge suburban landscape. That is completely against the wishes of local people and would completely contradict the draft local development framework and subvert the local and democratic basis of our planning system. I congratulate my hon. Friend on securing this debate so that we can raise these issues in an open forum.

Miss McIntosh: I am grateful to my hon. Friend for his intervention. I hope that the Minister is listening because we are being moderate and temperate in tone. I can only express the anger that is being felt and has been made known to me from those who wish me to make these points on their behalf—not just those in the Vale of York, but hon. Friends and those who have been kind enough to have written in. Let us consider the views of someone who is perhaps a floating voter. For example, Ben Fogle wrote recently in *The Daily Telegraph* that the Government say that the eco-town in his home village of Ford, West Sussex,

> "will be on brownfield land. This is not the case. Arable land constitutes more than 640 acres of the proposed site and that is where most of the homes will be built...Last year, wheat was grown in more than 40 per cent of the fields".

Although the Minister represents an urban constituency, he must be aware of the present cost of wheat and food generally. Building in such locations will substantially aggravate that problem. Will the Minister put our minds at rest about what stage the consultation is now at? The consultation period from 4 April to 12 June, when the announcement will be made on the city of Leeds region and the rest of the country, has been very short.

Mr. Geoffrey Clifton-Brown (Cotswold) (Con): My hon. Friend makes a good case. I congratulate her on securing a timely debate. As she knows, stage two of the consultation process concludes at the end of this month. I do not know about her eco-town, but in relation to Middle Quinton, which is right on the border of my constituency, all we know is that there will be 6,500 houses. Yet the second stage of the consultation process concludes at the end of this month by which time the Government will decide how to shortlist 10 towns from 15. If that process is anything like that of getting down from 57 to 15 it will be done in secret. That is completely unacceptable.

Miss McIntosh: I am grateful to my hon. Friend for his intervention. That is why people up and down the country are genuinely angry and feel so aggrieved—*[Interruption.]* I am sorry for hitting my microphone—I am very angry. We have been excluded from the process and the Minister for Housing has not even got the grace to be with us today. There has not been a lengthy consultation period and the Government even appear to be flouting the usual planning procedures through which people can have their say.

On one or two of the points raised in interventions, will the Minister confirm whether eco-towns will be located in areas that people want to move to and whether there will be jobs for people in these towns? Otherwise, they will have to travel further to work than they do where they currently live. Will people want to live in these houses, and will they be economic to run and maintain? Will the houses be affordable in the present climate? Does the Minister believe that these houses will be built and if they are built, will they be sold?

On the affordability factor, environmentally sustainable housing is more expensive to build, even taking into account the economies of scale proposed by the Government. How will the Minister avoid the eco-towns of today being the sink estates of tomorrow, and what do the Government mean by carbon-neutral? That does not appear to be defined anywhere—either in the prospectus or subsequent Government missives.

Tony Baldry (Banbury) (Con): In giving her chronology, my hon. Friend needs to draw hon. Members' attention to an important issue: the planning policy statement. I do not know whether she will come on to that matter, but the process will involve a departure from any planning situation that has occurred since the second world war and the introduction of the present planning system. The Government intend to issue a planning policy statement that lists the 10 shortlisted eco-towns. That statement will then supposedly be a material consideration for local authorities when they consider planning applications. For the first time since 1945, the Government will effectively direct local authorities that they have little alternative but to approve planning applications for those eco-towns identified by the Government under the planning policy statement.

Miss McIntosh: I have not mentioned that simply because I do not know whether that is the case. The question has to be asked about that. If there is such a planning policy statement, why has it not been published, at what stage will it be published, and can local authorities or groups of residents appeal against it? Those questions are important.

My hon. Friend the Member for Banbury (Tony Baldry) does the House a great service by pointing out that there has not been a planning policy statement. We have had planning policy guidance on just about everything else but not on eco-towns. Perhaps the Minister could tell us when he intends to publish one. Will the eco-towns attract new business, because in the prospectus that does not appear to be the case? What will happen if businesses are not attracted to these towns as commercial developments? Will they be unsustainable without jobs or amenities, and simply become isolated blots on the countryside? Will work units be provided, and why are some of the proposed shortlisted sites to be located on greenfield, rather than brownfield, land? That is, after all, part of the Government's criteria.

Michael Fabricant: Before my hon. Friend leaves her comprehensive list, should not the Minister be asked another question? If a town is to be ecologically sound, it must take everything into account, including, as my hon. Friend has pointed out in her excellent speech, distance to work, transport facilities, whether there are adequate roads, whether there is rail and whether there is all the other infrastructure required. Even if a town were ecologically sound, it might be made unsound as a whole by virtue of the fact that people had to move to and from that town. Have all those factors been taken into account? They certainly have not been at Curborough.

Miss McIntosh: I am grateful for that intervention. My hon. Friend pre-empts the points that I want to make on transport, because currently there is not much reference to transport and infrastructure generally in the prospectus. There are what might at best be described as indifferent public transport facilities available in most of the rural areas where the towns are proposed. That means that those living in the countryside depend more on the motor car, and we know the costs of driving, particularly for those who drive diesel cars.

Michael Fabricant: And the carbon footprint.

Miss McIntosh: Obviously, one is concerned about the carbon footprint, too. Similarly, eco-towns that are proposed to be developed on isolated sites in rural areas will no doubt suffer from a lack of connectivity to nearby towns and cities, which is likely to lead to new infrastructure such as roads and possibly railways, and related infrastructure. As regards other services, each new town will have to have its own schools and presumably there will be access to hospitals. The harsh reality is that schools, particularly small schools, in rural areas cost more and are currently threatened with closure in great numbers.

Mr. Gibb: My hon. Friend makes a very good point about transport. That relates to the issue of housing need, which was raised earlier. In my area, 4,000 households are on the waiting list for social housing, but of those 4,000, 1,600 want a house in Bognor Regis and 861 want a house in Littlehampton. There is no demand for housing in a rural isolated spot without transport links and, indeed, without jobs for the people to go to.

Miss McIntosh: My hon. Friend makes a powerful point. Surely people would prefer to live in an established town such as Bognor Regis, which is so well represented by him, if I may say so. I do not see what the attraction would be to the new towns.

[Miss McIntosh]

I have received a number of representations. Some of the most interesting ones, to which I would like the Minister to respond because I am sure that he has received them as well, are from the Royal Society for the Protection of Birds and the wildlife trusts, which are very concerned not only that eco-towns should have regard to newts and other such creatures, but that they should have a concept of being eco-friendly and having green credentials in that regard. The Campaign to Protect Rural England is very disappointed at the eco-towns shortlist, because the eco-towns are being put in the wrong place; they are remote and unsustainable.

I have welcomed the opportunity to have this debate. I understand that the city of Leeds region will confirm its proposals. I am delighted that it has excluded Skelton as an eco-town site, because that would be completely inappropriate, for the reasons that I have given. The timing of today's debate is very opportune. I regret that the Minister for Housing is not in her place and that the Minister who will respond to the debate has been put in this difficult position, but I am sure that he will rise to the occasion. Not once has the Minister for Housing come to the House and defended her decision, put herself under scrutiny or taken questions from colleagues. I hope that this Minister will send a firm message from this Chamber today that there is no place in parliamentary procedures for a conference call that involved my hon. and learned Friend the Member for Harborough and I being kept hanging on for up to 10 minutes, without a formal record being made, even by the Minister's colleagues in the Department, of what was said in the call.

I put it to the Minister that the consultation process is flawed. It is a sham. It barely pays lip service to democracy. It flouts normal planning procedures. As my hon. Friend the Member for Banbury said, we have not even had sight of a planning statement, which should be the very essence of the consultation at this stage. It is very difficult for parliamentarians to consult and be consulted on this matter. It is very difficult for the elected councillors to be consulted. It is very difficult for those residents whose properties will be blighted. The Minister must respond to that point. What message is his Department giving to those such as the Henman family, who have vigorously opposed the proposed site in Oxfordshire? What response will the Department give if their property prices are blighted?

These eco-towns are neither sustainable nor environmentally friendly. That poses the question why most of them—all but three—are to be built in Conservative-held seats, not Labour areas. If the Government feel so strongly about them, their flagship policies should be in their flagship constituencies.

Mr. Garnier: Which are they?

Miss McIntosh: There are not many left, but we will not mention Crewe and Nantwich at this stage; we just will not go there.

Most of the towns are to be built on green belt or greenfield sites, on prime agricultural land. If the Minister for Housing is so convinced of the case for eco-towns, she should be here today to defend the case and promote her policy herself. I would like this Minister, in making the case as to why eco-towns are good for the environment, to respond to the points that have been raised both by me and by other hon. Members in interventions—I look forward to other contributions.

These eco-towns appear not to have regard to adaptation for climate change. The Minister must make the case in that respect. They should certainly be built from permeable materials and be resilient to flooding. I visited many areas that were flooded in the summer last year and I would like to know who will say which materials are resilient and flood-proofed. Will someone in the Department give them a kitemark? Does that mean that if someone is subsequently flooded, having used those materials in an eco-town or an eco-home, they will have a case against either his Department or the manufacturers of the materials?

These eco-towns will increase congestion. People will have long travel-to-work distances and there will be huge infrastructure implications—I am thinking of the new roads, new schools, public transport routes and access to hospitals. In short, the case for eco-towns has yet to be made. I regret that it falls to this Minister to make the case, but I am waiting to hear, once and for all, why these eco-towns should be built and why this process has been followed, flouting all normal parliamentary channels and all planning procedures.

Several hon. Members *rose—*

Mr. Eric Martlew (in the Chair): Order. A considerable number of hon. Members wish to speak. I hope that hon. Members will bear that in mind in relation to the length of their speeches.

9.57 am

Hugh Bayley (City of York) (Lab): There are two drivers for the Government's policy on eco-towns. The first is the rising demand for homes, especially in areas of high economic growth or high population growth and places with a severe problem of housing affordability. The hon. Member for Vale of York (Miss McIntosh)—I will call her my hon. friend—knows well that those strictures apply very strongly to the city of York. The second driver for the debate about eco-towns is the environmental imperative to build in the future in different ways. I want to say a few words about both drivers.

In my response to the housing Green Paper in October last year, I pointed out that City of York council estimates, based on a housing market assessment carried out by Fordham Research, that the population of the city of York will grow over the 10 years to 2016 to 192,600—a 9.5 per cent. increase—and the demand for homes over the same period will increase by some 20 per cent. The study estimated that York needs to build 982 additional homes a year for each of the next five years.

At the time that I made my submission to the Department, the regional spatial strategy agreed that the city of York should have a target of building 640 new homes a year—far short of what is needed. I am pleased to say that the spatial strategy has upped that figure to 850, which is much closer to the figure that City of York council believes is needed. The regional spatial strategy is about to be reviewed once again to take account of the Government's new housing policies, and I would expect a further increase for York.

I say to my friend, the hon. Member for Vale of York, that there can be no doubt or disagreement among those from the City of York on the demand for new homes. We know from our surgeries that there is a substantial demand. We hear it from local families, who cannot afford somewhere for their children to live. Children in their late 20s are still living at home as a result of housing pressures in the city. The question is not whether we need these homes, but where and how to build them.

Mr. Garnier: I entirely agree with the hon. Gentleman's last question and the implied statement contained within it. Is he aware that there are 673,000 empty dwellings in England? Is he aware of the number in the City of York? Does he not think that the Government and city and borough councils ought to ensure that proper use is made of those empty houses before looking only at another solution?

Hugh Bayley: The answer is both/and; it is not either/or. The City of York has an extremely low rate of unoccupied council housing, although in some cities massive estates built in the 1960s are no longer used or needed because of city flight—another real problem. We have seen some good projects in the City of York. One was the living above the shop scheme in the city centre, which was an attempt to open up the upper floors of Victorian and early 20th century buildings to make more housing available. We need to do that, but however much effort we put into it, that alone will not be enough to meet housing needs in all our constituencies over the coming decades.

Secondly, I want to speak about the environmental imperative to build in different ways. In his report on the economics of climate change, Sir Nicholas Stern told us that the world needed to halve its current CO_2 emissions by 2050. We know that countries such as China and India are rapidly increasing their CO_2 emissions as they industrialise, so the already industrialised countries with the highest emissions—the UK's emissions are much higher per capita than China's—need to cut them by more than 50 per cent.

Sir Nicholas estimated that a cut of between 60 per cent. and 80 per cent. would be needed in the UK, which we will discuss in a week or two when the Climate Change Bill comes to the Commons. I recently heard Sir Nicholas speaking on the radio, saying that if he had known then what he knows now he would have estimated that we needed a cut of more than 80 per cent. To achieve those cuts in our carbon emissions, in order to limit the global temperature rise by the middle of the century to a level that does not impoverish hundreds of millions of people around the globe, we need to change the way that we do many things in Britain—including the way that we build homes.

Mr. Clifton-Brown: The hon. Gentleman makes a cogent case. The Government will improve the standard of all new houses, so that they are built to the same standard required in the eco-towns. Therefore, the eco-towns are simply a con, to allow new towns to be built in locations where they would otherwise never be permitted.

Hugh Bayley: I am not persuaded by the hon. Gentleman's argument. The Government rightly set out the ambition of achieving zero-carbon homes, but they will achieve that aim only by pushing through pilots to show how it will be done—to test the new technology in order to discover what works on the larger scale and what does not.

The Government have financed some important small-scale pilots. In my constituency, City of York council recently gained funding from a developer, as a result of planning gain, for a new headquarters for its neighbourhood services direct works department. However, there was only enough money to build a conventional building. The council wanted to do better than that, and it sought funding from the Government. The Government provided £681,000 to allow the new headquarters to be built with environmentally friendly technology. It has a timber-framed construction, with straw bale cladding—my hon. Friend the Member for Vale of York will be pleased to hear that the straw was grown in the Vale of York. It has low-energy under-floor heating, a wind turbine and photovoltaic cells, and it collects rainwater for washing the council's vehicles. It is designed to high environmental standards.

A second small-scale housing pilot is being built in Victoria way in York by York Housing Association with Government funding. Eight new homes are being built to the German PassivHaus standard, which includes high levels of insulation. They will gain heat from the sun through windows that allow the greenhouse effect to warm them; they will have excellent airtightness, using a whole-house ventilation system which will extract 95 per cent. of the heat of the warm air from the house and put it into the cold air being drawn from outside to save energy. It is expected that no fuel will be used for 10 months of the year, and fuel use will be much lower than normal for the remaining one or two months.

Those small-scale pilots demonstrate the technology that will be required when building homes for the future. It is not something that can be left for 10 or 20 years: once a house is built it is difficult to retro-fit such high environmental technology. We will be left with those houses for 100 years. We have to make the changes now. It is one thing to make changes on a small scale by piloting the technology, but we need also to do it on a community scale so that we can deal with the sort of issues that the hon. Member for Vale of York so rightly pointed out, such as the environmental impact of travel to work or for shopping. It is not quite as simple as she suggests—that one should not build in rural areas because it is bad; and that one should build in urban areas because it is good. One must balance the whole environmental envelope, including, of course, the transport issues that she raises.

Unless we find places to pilot that new technology on a community scale, we will not learn enough, or learn it quickly enough, to meet the goal of zero-carbon housing set out by the Government. I support the Government on the principle of piloting environmentally sustainable building on a large scale. They clearly need to consult carefully over locations, and take account of local views—although almost any large-scale housing development will attract opposition. However, I also ask them to consider putting money into the building of eco-districts in existing towns and cities—and they could certainly be Labour towns and cities.

When the first eco-towns prospectus came out, I discussed the requirements with people in York and asked whether it would be possible to make a bid, using two large brownfield sites in York—one a large site on

[Hugh Bayley]

old railway land about two thirds the size of the area within the city walls; and the other on a large site currently occupied by British Sugar. At the limit, those two sites, which are almost connected, would together be enough for 5,000 homes. I took the view that the area was probably too small for what I imagined would be the one Yorkshire eco-town pilot. However, if the Government want to pilot the ability to create viable communities within urban areas as well as the countryside, they should be piloting eco-districts within existing towns.

Many colleagues wish to speak, so I shall conclude with some specific questions for the Minister. The latest "Eco-towns: Living a greener future" document identifies the Leeds city region as an area for an eco-town. It says that eco-towns will have a 30 to 50 per cent. affordable component and that they will include social housing to rent. If the 10 local authorities of the Leeds city region work together, identify a site and build a new community, the nomination rights of that social housing will lie directly with one of those local authorities, yet it is clear that the entire sub-region will need to work together. The north Leeds-Harrogate-York triangle is often called the golden triangle—housing pressures are most intense in that part of Yorkshire. Will the Minister tell us whether the nomination rights for social housing will be shared by authorities in the region once a site has been identified and built?

City of York council has put forward a bid to the Government for housing growth point status for the combined railway land and sugar factory site, which is called the York Northwest project. The plan appears not to fit the criteria for eco-town or eco-district status under the Government rules, so will they support the growth point bid?

Clearly, York has enormous housing demand, huge problems with housing affordability and a lack of political consensus about where to build, partly because it has never defined the green belt—that did not happen under the Conservatives, Labour or Liberal Democrats, nor under the current hung council arrangements. I have asked the Joseph Rowntree Housing Trust to organise a round-table conference to bring everyone together to build a consensus on where the housing in York should be built. I hope that my hon. Friend the Member for Vale of York will attend, but will the Minister ensure that Yorkshire Forward, the Government regional office and DCLG are represented at the meeting?

10.11 am

Mr. Andrew Lansley (South Cambridgeshire) (Con): I congratulate my hon. Friend the Member for Vale of York (Miss McIntosh) on securing this timely debate—it is only four weeks until the end of the consultation on the original shortlist of eco-towns.

The Government announced last July that they were in favour of eco-towns. The Prime Minister said that he wanted five and for the first to be built at the Oakington barracks in my constituency—the Minister has visited the site—which will become the new town of Northstowe. We welcomed that and said that we wanted Northstowe to be the first eco-town. However, since the announcement, an outline planning application for Northstowe that does not meet eco-town standards has been submitted.

As the Minister knows, a high-quality guided busway is being built to provide a rapid transit solution to Cambridge's major employment sites. Northstowe could certainly accommodate 8,000, and the outline planning application is for 9,500. The new town ought to be the first eco-town, which would mean that it meets a higher standard for sustainable homes, for example, but the outline planning application came in at level 3, so the local authority is having to go back and say that it wants at least level 4 to begin with. Ministers said that the development ought to be powered by solar and wind, but the application is for only 20 per cent. renewable energy, so the local authority has had to say that it should be better.

The Government do not lack control over the situation, because English Partnerships is a principal partner in the new town. We in Cambridgeshire wanted Northstowe to be in the eco-town list and for it to be the first eco-town. If the Government get behind Northstowe with English Partnerships and support the local authority—we have high-quality transport and the housing growth fund is examining new biomass combined heat and power for energy supply—we could create the first eco-town and begin building homes perhaps within only two years.

We were therefore surprised, when the Government published the shortlist of eco-towns, that Northstowe was not in the list after the Prime Minister said it would be. By contrast, Hanley Grange—for the benefit of my constituents who will read the *Official Report* of the debate, it will be at Hinxton Grange—is in the list. Why is Northstowe, which could be the first prototype eco-town, not in the list, and why is Hanley Grange, which is in my constituency, in the list when it should not be? Time will not permit me to go through all the reasons why the Hanley Grange proposal does not meet the criteria for an eco-town—the consultation will demonstrate that—and this is not the occasion on which to set those out in detail.

As my hon. Friend the Member for Banbury (Tony Baldry) rightly pointed out, the policy is the planning framework that the Government are creating to bring the list forward. The county structure plan inquiry in Cambridgeshire went through all the sites of potential new towns and established that Northstowe and Waterbeach were the first and second priorities respectively and that the third, which is being actively promoted by Cambridge city council, is for an urban district like that described by the hon. Member for City of York (Hugh Bayley)—for an urban extension of 12,000 on the east Cambridge site on the airport to have an eco-town that is part of Cambridge city. We are actively working toward that, as set out in the county structure plan. The developers for Hanley Grange put forward their proposal for the county structure plan—it was submitted in April 2004—but it was rejected because there was no infrastructure south of Cambridge to support the development. The only green thing about the proposal is that it has been recycled since 2004.

The critical point is that we have the planning structure in place. We have the county structure plan and the local development plan has been adopted, but three weeks ago the Minister published a regional spatial strategy that said that the infrastructure south of Cambridgeshire would not support a large new settlement. The RSS said that an examination leading to the next

RSS of the possibilities for a large new settlement with the associated changes to infrastructure necessary to support it should begin.

We supposedly have a plan-led system and the whole of the local plans have been adopted—there is no bit of draft planning outstanding. The plan in Cambridgeshire is for 42,500 new homes, of which 17,000 will be affordable, and I must tell hon. Members who talked about urban and rural areas that my constituency is the combined urban and rural district in which new homes are being built faster than anywhere else in Britain. On what basis can Ministers say, "Hang on a minute: do something that isn't in the plan, that slows the process of development locally, and that every local authority believes will impede progress in building the homes that are required for the local population and for the employment growth in the area"? Why is Northstowe not in the list, and why is the plan-led system not following the established plans?

10.17 am

Mr. John Grogan (Selby) (Lab): I congratulate my constituency neighbour, the hon. Member for Vale of York (Miss McIntosh), on securing the debate. I would certainly not keep her waiting on the phone for 10 minutes for a conference call, but I have taken great pleasure in co-operating with her on a large number of issues in North Yorkshire in recent years.

I am conscious of the time and how frustrating it is to sit here and not get the chance to speak, so I shall condense my remarks. I support eco-towns in principle and I should like to see what is possible in the Selby district—there are several possibilities. Two types of people come to my surgeries to talk about housing issues. In the first category are people who are desperate for housing. They could be among the nearly 2,000 on the council house waiting list in Selby district or those who simply can no longer afford to buy in the district. When I first became an MP, the average house price in the district was about three times the average salary, but it is now about seven times, so many of my constituents who want to start a family and get on the housing ladder cannot do so.

The second category of people who come to speak to me about housing are those who are worried about unplanned development in their villages. People in Church Fenton and Sherburn in Elmet, for example, complain that the infrastructure does not necessarily come with the housing that is built. I thought that eco-towns would be a way to square that circle—they would bring much-needed housing and infrastructure to the rural area of Selby, including the necessary public transport, schools and medical services.

We are part of the wider Leeds city region. The regional spatial strategy that has been agreed by councils and the Government for Leeds shows that we need to build 13,800 houses annually, but we are building only 9,000 at the moment. An eco-town would not solve the problem entirely, but it would make a big contribution towards solving it.

I congratulate the councils in the Leeds city region on their approach. As the hon. Member for Vale of York said, they are meeting on 12 June. They have commissioned the consultants GVA Grimley to look around the Leeds city region to find the best site. Four sites in the Selby district are being considered. Burn, which has a big airfield on which economic development is planned, and Church Fenton, where a third of British pilots are still trained, are probably not the front-runners. The choice probably boils down to the site at Eggborough and Kellington and the site at Gascoigne Wood. The rumours are that the consultants will recommend Gascoigne Wood to the Leeds city region next week, but we will have to see. I have not had sight of the papers and I do not know what the Leeds city region will decide.

Eggborough and Kellington has been debated a great deal, but the Gascoigne Wood site has been debated less, so let me put on record what I think it consists of, having spoken briefly to UK Coal. The total area of Gascoigne Wood is 640 acres. The site is an old mine, and its core was previously a rail-head—all the coal from the old Selby mine came to the surface there. About 200 acres of the 640 are farm land. There is consent for commercial use on 150 acres, which would result in a net area of 100 acres for development, according to UK Coal. The remaining land would be used for screening mounds and green areas on the eco-town site.

If the city region backs the site, a lot of questions will have to be answered about road access and about improving public transport and the existing rail link between Hull and Leeds. There is therefore an awful lot of work to do, but having backed the policy in principle at the national level because of the housing shortage, it would be absolutely hypocritical of me to turn around and say that there should be no possibility of our having an eco-town in the Selby district.

If Leeds city region backs a site in the Selby district next week, I hope that the Government will add it to their 15 sites. They have already allocated one of the sites to the Leeds city region, but I hope that they will confirm the site that the region puts forward for further work and development. As I said, my support for a particular eco-town site is not unconditional, and a lot of work must be done on the planning, roads, infrastructure and so on. My starting point, however, is that I want the proposals to work, such is the urgent need for housing in the Leeds city region and in Yorkshire and such is the urgent need for environmentally friendly housing.

Several hon. Members *rose—*

Mr. Eric Martlew (in the Chair): Order. I would like to start the winding-up speeches by 10.30.

10.22 am

Mr. Edward Garnier (Harborough) (Con): Like others, I congratulate my hon. Friend the Member for Vale of York (Miss McIntosh) on securing this Adjournment debate. As she said, this hapless process began on 3 April, when the Housing Minister telephoned us in that ridiculous conference call, before publishing her document "Living a Greener Future", or whatever it was called. An O-level student would have had that document sent back to them if they had presented it as an exam piece. It has all the hallmarks of having been pulled together very quickly; indeed, it was probably put together in the previous 24 hours—the wonders of computer printing now enable Departments to do such things. The document's intellectual content—particularly as it relates to the eco-site in my constituency, which the developers call Pennbury—demonstrates to all of us in my constituency that this is a pretty shoddy process.

[Mr. Edward Garnier]

The process did not, however, begin on 3 April. In 2006, a number of secret meetings—secret is perhaps an emotive term, but it is accurate—were held by the developers of the site, which I share with my hon. Friend the Member for Rutland and Melton (Alan Duncan), to see whether their previously withdrawn application could be reheated as a sustainable urban extension. Once the Prime Minister returned from his trip to China, however, the developers decided to change their application and to propose an eco-town of 15,000 dwellings, rather than a sustainable urban extension of 5,000 dwellings.

The site is sometimes described as brownfield by those with an interest in developing it. English Partnerships owns 400 acres of prime grazing land, which used to be part of the farm attached to the Stretton Hall hospital. It is still prime grazing land—it is not brownfield land in any possible understanding of the term. The Co-operative Wholesale Society owns not quite 5,000 acres on the site, which are also prime farm land. That estate contains Stoughton airfield, where there is a private aerial club belonging to a number of individuals—I cannot say what the club's membership is, but a substantial number of people belong to it. The only bit of brownfield land, properly described, is the two runways. There are also some airfield buildings, which house the clubhouse, and a control tower. The land within the perimeter of the airfield is farmed. I was there not long ago with my hon. Friend the Member for Welwyn Hatfield (Grant Shapps), who is my party's shadow Housing Minister. We went on to the top of the airfield buildings and saw tractors cutting hay within the airfield's perimeter. This is not, therefore, a brownfield site, and the concrete and tarmac cover approximately 6 per cent. of the entire development site.

If I were the owner of 5,000 acres of prime agricultural land and I thought that income from farming was not too hot, I would of course do my best to maximise the return on my capital and use every lawful means to apply for housing and other forms of commercial development. However, I would do that on the basis of the facts and I would be candid with members of the public—particularly those who would be affected by the development.

Time does not permit me to repeat what I said in my Adjournment debate on the Floor of the House on 29 January—the Minister also responded to that debate, although he was cut short by the half-hour knife. Unfortunately, the level of public knowledge about the process and the particulars of the site in my constituency and that of my hon. Friend the Member for Rutland and Melton has not improved one iota. Representatives of the Co-operative Wholesale Society gave us a briefing in November 2007—English Partnerships has kept remarkably quiet throughout the process. They gave us a pretty little PowerPoint slide show in Market Harborough, with lots of birds and butterflies and all sorts of things of that nature. It was hugely reminiscent of the slides that they showed us in 1990, when they were trying to develop the very same site, although they called it Stretton Magna in those days; it is now called Pennbury. However, there was no detail, because those who gave us the slide show said that such things were commercial in confidence and that it would be embarrassing for them to have to reveal too much.

The short point, however, is that the development would provide us with 15,000 dwellings and 12,000 jobs. Fifteen thousand dwellings would mean a town of approximately 40,000 people, which is the same size as Banbury, twice the size of Cirencester and just a little smaller than Lichfield. This town will go nowhere other than on top of prime agricultural land, but what is it that we need more than anything else at the moment? We need food that is grown and processed in this country for the home market. If this ludicrous proposal goes through, 5,000 acres of some of the finest agricultural land in England will go under the bulldozer.

My hon. Friend the Member for Vale of York powerfully set out our arguments against this process. I urge hon. Members, the Minister and the Housing Minister to reread what I said on 29 January. Not even a moron in a hurry would put an eco-town—or any town—of this size and nature on the site in my constituency. I urge the Minister to get it off the list of 15 sites before the credibility of the Government and the two developers goes beyond and below basement level, which is where it is at the moment.

10.29 am

Dan Rogerson (North Cornwall) (LD): I congratulate the hon. Member for Vale of York (Miss McIntosh) on securing the debate. As we have seen from the involvement of hon. Members—and I am happy to receive interventions from those who have not yet had the chance to speak, and want to raise local concerns—the subject is causing great alarm in several areas where proposals have been put forward quite quickly. Some of those are for sites that have been subject to the threat of development in the past, as we have just heard from the hon. and learned Member for Harborough (Mr. Garnier). In other cases, the spectre of unplanned development, in the context of the local development plan, has arisen quickly.

The hon. Member for Vale of York raised several points, including the speed with which the proposals have been advanced, and the lack of consultation with elected representatives at all levels. Of course there is then the concern that the media get hold of it straight away, and no one is prepared to respond, or to react to the concern and alarm among constituents.

Mr. Clifton-Brown: Is the hon. Gentleman aware, from parliamentary questions that I have tabled, that the Government have a major interest in seven out of the 15 sites, and stand to make nearly £1 billion if the proposals go through?

Dan Rogerson: I am certainly aware that the hon. Gentleman has been pursuing the issue through parliamentary questions, and, as we have heard from other hon. Members, there could be a bonanza for landowners, whether they are in the public or the private sector.

Hon. Members including, I think, the hon. and learned Member for Harborough, have raised in interventions the matter of empty homes, and I sympathise with that point, as I represent a constituency where, in addition to empty properties, the growing number of second homes is a huge problem. The issue of environmental standards has also been raised. We need those to be tightened, and of course we welcome the fact that the

Government are gradually, inch by inch, moving to the sort of environmental standards that other countries have had for many years. However, the point has repeatedly been raised that eco-towns will not be doing anything over and above what other developments will be required to do in the not too distant future.

The hon. Member for South Cambridgeshire (Mr. Lansley) raised an important question: do the bids that have moved to the next stage—because, let us be honest, the amount of scrutiny to which they are subject is limited by the time scale—meet the original criteria? That is a crucial question and I hope the Minister will consider it. Will the towns be sustainable? Will there be the required public transport links, which are being developed in existing communities and would be present to a far greater extent in the eco-district developments that the hon. Member for City of York (Hugh Bayley) described? Will they be built on sites with great environmental value for the community, whether that is agricultural or other community value?

We spent a long time last night and yesterday afternoon debating major projects, and the hon. Member for Cotswold (Mr. Clifton-Brown) played quite a part in that debate. My party's great concern is that the current process represents another part of the trend to ignore the local consultation process and all the investment that has been made in consultation and building the community's confidence that its views—whether on large-scale infrastructure projects or housing development—matter. That is all being set aside by the quick imposition of new development that does not meet the criteria within which local authorities must demonstrate that they are working.

Some of the settlements that we have heard about in the debate may have some value, but it is difficult for people to scrutinise the bids and put forward their views in the tight time scale. There is a proposal in Cornwall, in the constituency of my hon. Friend the Member for Truro and St. Austell (Matthew Taylor). Initially he was suspicious about whether the bid would be able to provide all the benefits of a true eco-town, as one might understand the concept in relation to links and the use of brownfield land. As things have moved forward, he has become more confident that it will, but like everyone else he is concerned that local consultation should play its full part in what happens.

Mr. Clifton-Brown: As the hon. Gentleman says, he and I took part in the debate on the Planning Bill yesterday. Would not a better idea, in the interest of sensible planning, be to pilot a few of the towns, particularly in areas where they are wanted, and not to proceed with towns in areas where there is huge local opposition and huge opposition from all the authorities involved, as is the case in Middle Quinton, next door to my constituency?

Dan Rogerson: The hon. Gentleman makes a sensible proposal, and a bidding process that involves local authorities, representing their communities, is a far more effective one. The hon. Member for South Cambridgeshire explained how it had been hoped that one proposal would move forward with the full benefit of Government support; however, those hopes were dashed, and to add insult to injury, another site not too far away, which does not necessarily meet the criteria, was selected. That seems bizarre.

We must be sceptical about whether the transport links can bring about truly sustainable settlements that will offer the country the benefits it wants in meeting CO_2 reduction targets. It is not only that the houses that are built need to be energy efficient; there are questions about the materials that will be used, and whether the techniques will be available for sustainable building practices. The hon. Member for City of York mentioned a public building in his constituency that meets those standards, and houses that are intended to do so. However, that will not necessarily happen, and I will welcome any reassurance that the Minister can give about how the building is to take place, and whether the settlements will truly be able to be called eco-towns.

My party wants reform of the planning system, not along the lines that we discussed yesterday, but more to ensure that local authority development plans are sustainable, incorporating targets for CO_2 emission reductions to encourage the development of renewable energy facilities, and accounting for the climate change consequences of policies, including transport. Of course, strong feeling was expressed in the very close votes last night about whether the Planning Bill goes far enough, with respect to major infrastructure projects, in putting climate change at the heart of what is happening.

We believe that we should move much closer to the PassivHaus standard that Germany has had for some time, which the hon. Member for City of York mentioned—certainly no later than 2011. If we did that, carbon emissions from new homes would be reduced by 95 per cent., compared with existing stock. That would bring us far closer to where we need to be. As the CPRE has pointed out, even if the eco-towns provide the number of houses that are being suggested, that is only about 7 per cent. of the homes that will be built in the relevant period. That will not have a huge effect. It is somewhat tokenistic as far as fulfilling a commitment to reduce carbon emissions.

Planning policy must be based on evidence, on local and regional need and on consultation, and carrying the community along. I am reminded of a recent debate on large-scale housing development, in Northamptonshire. We discussed exactly the same issues, and exactly the same point of view in the community, whose hopes of having their views listened to were raised and then seemed to be dashed. Planning policy does not deliver for those communities. The process that we are discussing is not based on evidence or need, and is certainly not based on consultation.

10.39 am

Mr. Stewart Jackson (Peterborough) (Con): It is a pleasure to serve for the first time under your chairmanship, Mr. Martlew. I warmly congratulate my hon. Friend the Member for Vale of York (Miss McIntosh) on her eloquence and passion in making her case, and on securing this important and topical debate. I congratulate also my hon. Friends who have spoken, as well as those who have not and who have campaigned on the issues on behalf of their constituents in the past few months. My hon. Friend made a valid point about parliamentary accountability, and in particular the ludicrous conference call. I caution her to count her blessings: she could have received a one-on-one 6 am conference call from the Prime Minister.

[Mr. Stewart Jackson]

The Opposition have taken a pragmatic and practical view of eco-towns. We are not against them per se, but we have set a number of key indicators and measures to test their efficacy, and as I shall say later, if time permits, we believe that the Government are failing those tests. We will support on a cross-party basis locally supported measures to build sustainable, eco-friendly communities on genuine brownfield sites. The precedent in respect of the 2003 sustainable communities plan is not strong. If anything, it is not sustainable. We will certainly not give carte blanche support to controversial and unsuitable developments that have merely been re-badged as eco-towns—one possible example is Ford in West Sussex—or those that seek by a circuitous route to meet the Government's centralised, top-down housing targets.

We believe that there should be strong local support based primarily on the local authority's agreement. Measures should not be imposed by Whitehall or regional quangos, and there should be a clear benefit to the wider community. We also believe that there should be supporting infrastructure. Even if the town is eco-friendly, there must be sufficient infrastructure around and near it, including sufficient transport capacity. I shall come to those issues later when I speak about Cambridgeshire in particular. Front-line public services such as schools and hospitals are also important, as is water supply, for which demand will increase. We will need incentives from central Government and support from developers.

We believe in environmental protection. Eco-towns should not be built on green-belt land, in areas of special protection such as areas of outstanding natural beauty or sites of special scientific interest, or in areas of flood risk—my hon. Friend the Member for Vale of York made a powerful case in that respect—unless new and additional flood prevention measures are put in place. We believe that eco-towns should champion new green technologies, low and zero-carbon technologies, technologies to reduce water use and sustainable building materials. In Curborough, for example, that is certainly not what is happening. I shall refer to that later.

We believe in real communities. Eco-towns are being plonked in the middle of rural areas without any affinity for local communities or the people who are supposed to live there and with no real thought for those people's medium-term quality of life. Social housing should be included, and we should be championing flexible forms of tenure such as private rent and do-it-yourself shared ownership as well as private ownership.

Those tests are being failed. It is as well to consider the rationale for eco-towns. Only last month, Lord Rogers of Riverside said at the Building Centre in London:

> "I think eco-towns are one of the biggest mistakes the Government can make… They are in no way environmentally sustainable."

He argued that they will damage both rural and urban environments while increasing road congestion and carbon emission.

Brian Berry, director of external affairs at the Federation of Master Builders, said that

> "building brand new eco-towns outside existing towns and cities is a really bad idea when there are 675,000 homes in England alone sitting empty"—

a point made by my hon. and learned Friend the Member for Harborough (Mr. Garnier)—

> "and ripe for refitting with green technologies. Given that demand for housing is right across the UK it makes more sense for every village, town, and city to have new housing rather than creating brand new settlements."

My hon. Friend the Member for Cotswold (Mr. Clifton-Brown), who may be an old cynic but who has been in the House for 16 years, made an important point in questioning Ministers about the issue of the capital receipt that will accrue to the Treasury from the sale of several Ministry of Defence sites such as Ford, and Middle Quinton in Warwickshire. It is a shame that my hon. Friend the Member for Stratford-on-Avon (Mr. Maples) is not here, as he has made a big contribution to that local debate. I hope that the Minister will answer those questions as he goes along.

We need to focus on infrastructure. It is as well that the Campaign for Better Transport has made a valid contribution to the debate. It considered the situation in its document "Lessons from Cambourne". Cambourne, in the constituency of my hon. Friend the Member for South Cambridgeshire (Mr. Lansley), is described as a proto-eco-town—

Mr. Lansley: It is a village.

Mr. Jackson: Well, it has been described as a proto-eco-town. In fact, owing to the lack of transport infrastructure, car use there is higher than it has ever been: 95 per cent. of households own a car, 56 per cent. own two or more and 81 per cent. of the working population drive to work. That is a powerful lesson. Unless the Government get transport infrastructure right, they are disregarding the whole concept of the eco-town. I hope the Minister will consider that issue.

Dermot Finch, the director of Centre for Cities, supports that view on the lack of infrastructure:

> "Most of the new eco-towns will be plonked in the countryside, miles away from the concentrations of jobs, shops, and services found in existing city centres…symbolic measures like low-speed limits won't stop them from getting into their cars to commute to work, generating both congestion and emissions in the process."

Hugh Bayley: Will the hon. Gentleman give way?

Mr. Jackson: I will not, if the hon. Gentleman will forgive me. I need to make some progress and conclude in order to let the Minister answer.

Openness and transparency are key issues. The CPRE feels strongly about the

> "unwarranted level of secrecy surrounding the initiative so far, the fact that it appears to lie outside the planning system, and a lack of evidence demonstrating that these schemes will offer truly sustainable models of living and working."

That is important: the proposals seem to be outside both local plans and regional spatial strategies. I believe that my hon. Friend the Member for Bognor Regis and Littlehampton (Mr. Gibb) made that point in his eloquent remarks during his Adjournment debate on this issue not long ago. Professor David Lock and the Local Government Association made the point that the planning system is being circumvented in order to drive centrally imposed housing targets. I will be interested to hear the Minister's viewpoint. The proposals have sadly lacked accountability in respect of Parliament. Local accountability and transparency have been non-existent and there is a great deal of ignorance about the proposals at all levels. Frankly, an arrogant disdain has been showed towards democratically elected local councillors, residents associations and others.

The Government have failed to make the case for eco-towns coherently, transparently and with the benefit of strong local support. Indeed, they have not commanded the support of Members of the House: early-day motion 920, tabled earlier this year by the right hon. Member for Leicester, East (Keith Vaz), indicated his concern about consultation on eco-towns, and the Minister will know that the hon. Member for South Derbyshire (Mr. Todd) has objected strongly to proposals in his area. The Government need to think again about eco-towns in order to win the support of local people and the House in their laudable aim of delivering homes for people who need them. They have failed to do so. I look forward to hearing from the Minister, who I hope will address some of the key issues raised by me, my hon. Friends and other hon. Members.

10.48 am

The Parliamentary Under-Secretary of State for Communities and Local Government (Mr. Iain Wright): It is a pleasure to serve under your chairmanship yet again, Mr. Martlew. We seem to be permanent fixtures in this Chamber. I have enjoyed today's debate and the contributions from the Conservative Members lined up in front of me. I now know what it feels like to be before a firing squad, but their contributions were valid and worth while. I congratulate the hon. Member for Vale of York (Miss McIntosh) on securing this important debate. I know from seeing her in the Library from dawn till dusk that she works incredibly hard on behalf of her constituents. It is fair to say that she has demonstrated that again today with extremely pertinent questions.

I am disappointed, however, at the point that the hon. Lady made today, and in business questions last Thursday, about how she was disappointed to see me responding to the debate. I shall respond to that important point about the availability for this debate of the Minister for Housing, my right hon. Friend the Member for Don Valley (Caroline Flint), and to the one about her conference call mentioned a number of times by hon. Members. The hon. Lady will know that it is entirely within the confines of parliamentary convention for Under-Secretaries to respond to debates in this Chamber, which is entirely fitting—I think that she knows that and was being slightly cheeky in raising that point. However, I am profoundly disappointed that she was disappointed to see me.

The hon. Lady also made a very important point about the conference call, and suggested that it showed a disregard for parliamentary convention. I believe passionately that quite the reverse is the case. My right hon. Friend wrote to all MPs ahead of the announcement on 3 April, on the day of publication, made a written ministerial statement, which fell entirely within the confines of acceptable parliamentary convention, and wrote to hon. Members whose constituencies would be affected by the eco-towns list. The offer of a telephone briefing was made over and above the written ministerial statement, because she believed—rightly, in my opinion—that the availability of hon. Members at Westminster on the last day before recess might be low. She actually moved in advance of parliamentary convention, so I do not accept the point made against her that that amounted to a lack of clarity or transparency.

Miss McIntosh: I am never disappointed to see the Minister, whether in the Library or in his customary place responding to debates. However, what is the right hon. Lady frightened of, and why will she not subject herself to parliamentary scrutiny? We all have to do it, whether as a humble Back-Bencher or from the giddy heights of a Cabinet Minister. As my hon. and learned Friend the Member for Harborough (Mr. Garnier) said, it is one thing to write a letter, but another thing to present herself to her peers and take questions from them—we are only asking them on behalf of our constituents who feel so strongly about this issue.

Mr. Wright: I understand the hon. Lady's point, but, on 20 May, my Department answered questions in the House, and I seem to recall that she herself asked a question about flood risk in her area. My right hon. Friend was available to answer questions on eco-towns and other matters, so she is not running away at all; she is available to be scrutinised by Parliament on the Floor of the House at departmental questions. That is obvious to all.

Since I last had the opportunity to speak on this matter, there has been a great deal of activity in the Government's eco-towns programme. I shall bring to the Chamber's attention the work going on in this significant area and respond to points raised by the hon. Lady and other hon. Members. Before that, however, it is worth repeating, as other hon. Members have done, what we are trying to achieve by building eco-towns.

Mr. Gibb: The official in charge of the eco-town policy, Henry Cleary, gave evidence last week to Arun district council's scrutiny committee inquiry. He said that the planning policy statement, to be issued at the end of July, would be "location specific". Does that not change the nature of planning guidance, which ought to be about general principles, rather than turning them effectively into central Government directives that subvert the locally and democratically based planning process?

Mr. Wright: I would like to draw out of this debate two essential themes: one is the important point about process, which the hon. Lady mentioned quite a lot, and which I shall go on about quite a bit too. The second important point is about location-specific issues, which the hon. Member for Bognor Regis and Littlehampton (Mr. Gibb) has raised with me and others on many occasions and in an excellent fashion.

I shall start from the beginning, however, and explain what we are trying to do with eco-towns. As my hon. Friends the Members for City of York (Hugh Bayley) and for Selby (Mr. Grogan) mentioned, eco-towns give us a unique opportunity to tackle in tandem two of the greatest challenges facing the country: to ensure that we provide the homes so sorely needed for the people of this country, and to address climate change and environmental and sustainability issues—two extremely important points. Eco-towns have the potential to deliver vital, affordable housing to tens of thousands of young people and families. We want to build 10 eco-towns

[Mr. Iain Wright]

delivering up to 100,000 new homes, with a significant proportion—between 30 and 50 per cent.—being affordable homes.

Mr. Clifton-Brown: For the record, I am on no circulation list, even though my constituency abuts Middle Quinton. Could I be put on one? I also suggest gently to the Minister what I said to the hon. Member for North Cornwall (Dan Rogerson): out of this debate the Government should trial one or two eco-towns, learn the lessons about where they are wanted and then roll out the programme. That is what the Chinese are doing at Dontang, just outside Shanghai.

Mr. Wright: The hon. Gentleman makes an important point. I think that we can build in new thinking to our eco-towns policy, as he suggested, on a variety of things, such as health, community empowerment, age-friendly development—as a country, we are all getting older—and cutting resource and carbon use. The eco-towns will, and should, be designed around the needs of pedestrians, cyclists and public transport users, so that residents have more flexibility in how they travel, rather than no option other than to drive everywhere.

The hon. Lady mentioned the importance of process, with which I agree wholeheartedly. In April, the Minister for Housing made a statement to the House outlining the process so far. We have received 57 expressions of interest for eco-towns, and have looked at proposals across Government and with other agencies, particularly to assess flood risk—I know that the hon. Lady is very interested in that—and scarcity of natural resources. We have also considered effects on the natural environment, the green spaces that we all have the right to enjoy and the protected landscapes or species that inhabit it, which was a point made by the hon. Member for Peterborough. Crucially—this theme has emerged in today's debate—we also looked at sustainable transport, which is essential to the new eco-towns. Submissions must clearly demonstrate how they will encourage a reduction in the reliance on the car, and a shift towards other, more sustainable transport options.

In the expressions of interest, we looked for high-quality offers on accessible public transport and developments designed around the needs of pedestrians and cyclists. As the Chamber is aware, following that initial scrutiny, we are now conducting a full public consultation on the 15 shortlisted locations, and we will take every opportunity to engage with local authorities and the general public during this time to ensure that all views are heard. The consultation document elicits views on the benefits and principles of eco-towns, and we are asking people to tell us what types of technologies, development standards, housing, green space, travel and wider benefits they would like incorporated, as well as to give us their views on the 15 shortlisted locations. We will feed outcomes into the second round of consultations.

Miss McIntosh: The Minister touched on the sustainability of transport, but has not mentioned where the jobs in such towns will be. As my hon. Friend the Member for Peterborough (Mr. Jackson) asked, will people have to travel further to work?

Mr. Wright: The hon. Lady raises a very important point. We do not want a mismatch between employment, business activity and homes. With technological advances, there is an ability to work from home and so on, but that is another very important point to be considered.

Hugh Bayley: The hon. Lady ignores the fact that at the moment people travel large distances because of housing shortages. Poor people, who supply the service jobs in York for the rich incoming professionals, often travel from Selby or Goole by car. Additional housing, which we need, might well be closer to where people work.

Mr. Wright: My hon. Friend makes an extremely important point.

Unfortunately, I do not have time to answer many of the points raised, but I promise to write to hon. Members. Building a new generation of towns is a tough challenge, but one that we must meet if we are to achieve our goal of meeting the demand for housing, which is so sorely needed, while tackling climate change and sustainability issues. We have a real opportunity to do something new and innovative, to create some great places for people to live in and to leave a tremendous legacy. Eco-towns can provide that, but decisions will not be made in some darkened room, but as part of the full planning application process. I thank the hon. Lady for securing this debate and for providing an opportunity to give further guidance on the Government's policy on eco-towns.

Low Pay (Migrant Workers)

11 am

Colin Burgon (Elmet) (Lab): I want to start a debate and challenge what I think is a too-cosy consensus among all the political parties about the unchallenged supremacy of market forces. I also want to challenge the dominant idea—again, held across the political stage—that there should be automatic support for the free movement of capital, goods and, in the context of today's debate, labour. We must also therefore discuss the role of the Government in—some people would say interfering, we would say intervening in—the market. Today, we are talking about the impact of the free movement of labour on people working in this country, but I also want to consider the impact of economic conditions on determining and dictating the situation for migrant workers.

All political parties and leaders applaud the theory of flexible labour markets. I, for one, do not share their enthusiasm, because in the current climate of weak employment regulation, it means low pay and diminished employment rights for both migrant workers and resident workers. I draw the House's attention to the recently published House of Lords Select Committee report that dealt with the economic impact of immigration. It made it clear that what I would argue to be under-regulated migration has sustained, and is helping to sustain, an economy that, again, I would argue—the facts seem to substantiate this—is increasingly dominated by employment that is low paid, insecure and leaves workers, resident and migrant alike, vulnerable and ill equipped to face the rising costs of living and all the increasing challenges of today's period of economic turbulence.

The recent TUC report "Hard Work, Hidden Lives" makes it clear that the proposed agency worker developments—the Government's discussions with the TUC and the CBI—may not make any meaningful difference to the status quo. The Minister will be pleased to know that I shall look at that issue, I hope, in some depth. Perhaps my colleagues will join me.

David Taylor (North-West Leicestershire) (Lab/Co-op): My hon. Friend will recall the 2004 Warwick agreement. Is he as disappointed as I am about the lack of progress on the Temporary and Agency Workers (Equal Treatment) Bill, introduced by our hon. Friend the Member for Ellesmere Port and Neston (Andrew Miller), which would tackle some of the concerns that he is about to detail to the Chamber this morning? I congratulate him on securing the debate, which is very important indeed.

Colin Burgon: I share my hon. Friend's reservations about the 12-week period affecting agency workers. I hope that we will discuss it in detail. I hope—perhaps against hope—that the people who negotiated on the side of the trade unions got some real plums out of the agreement. If they did not, it will have to me the faint whiff of a Munich agreement, and we may well regret that instead of pushing for a six-week European directive, we settled on 12 weeks. I hope that other Members will comment on that.

I called for the debate because in Yorkshire and Humber, and particularly in the city of Leeds, where my constituency is located, evidence of low pay and abuse of migrant labour is crystal clear. Yorkshire and Humber is the third worst UK region in terms of its percentage of low-paid workers. Something like 26 per cent. of the work force fall into that category. Currently, 24,000 workers in my region are known by central and local government not to be receiving even the minimum wage. That figure does not include the unquantifiable number of temporary and agency workers, many of them migrant workers, employed on varying contracts or on no contracts at all in Leeds. To put the issue in context, despite strong economic growth in Leeds—under a Labour Government, I might add—149,000 people are designated as deprived and wage inequality is really sharp.

I have some facts to buttress that argument. The median gross weekly wage for all employees in Leeds is £367—the highest-paid 10 per cent. receiving £775, the lowest-paid 10 per cent. receiving just £121. The median gross weekly wage for men stands at £429, compared with £290 for women. The highest-earning men in Leeds, leaving out MPs of course, receive £865 weekly, and the lowest, £202. The highest-earning women receive £595 weekly, and the lowest—incredibly—just £84. That disparity increases dramatically when part-time work is measured.

I should like to place on the record some balance: my encouragement and appreciation of the Government both for their recent moves on agency labour, although many of us have reservations about how effective those will be, and, to be fair, for their hard work over the past decade to introduce extra employment rights, such as the national minimum wage, paid holidays, health and safety regulations, statutory maternity and paternity leave and sick pay.

Jim Sheridan (Paisley and Renfrewshire, North) (Lab): I congratulate my hon. Friend on securing the debate. On the measures that the Government have introduced over the past decade, he will also be aware of the Gangmasters (Licensing) Act 2004. Indeed, today the Gangmasters Licensing Authority has clear evidence that the exploitation of vulnerable migrant workers is far deeper than we expected. Even the TUC general secretary, Brendan Barber, is now calling for the Act to be extended to other sectors, in particular the construction industry, where migrant workers are being exploited.

Colin Burgon: I thank my hon. Friend for that intervention and pay tribute to his work. He has played an outstanding role in bringing the issue to the forefront of public debate.

John Bercow (Buckingham) (Con): The hon. Gentleman touched a few moments ago on the subject of those people who were being denied the legal protection of the national minimum wage. Would he care to elaborate on that and to tell colleagues what evidence he has of the incidence of straightforward non-payment among migrant workers? Secondly, Mr. Martlew, if I can try my luck, I wonder whether the hon. Gentleman would care to say something about the phenomenon, highlighted in the TUC report, of what might be called bogus self-employment, and how it impacts in particular on migrant workers and on those for whom English is an additional language.

Colin Burgon: I shall attempt to cover those two points as I develop my argument.

[Colin Burgon]

I mentioned the Government's achievements, and I shall come back to praise not the Minister but the Government, of whom he is a representative and we are, too. They are all good, solid achievements, but they are not enough for the most vulnerable in our work force. At this point, I shall give the Minister a chance to assert his independence, because I was somewhat disappointed to hear my right hon. Friend the Secretary of State for Business, Enterprise and Regulatory Reform say to the Fabian Society last week that the Government had

> "reached the end of the era on considering major new regulation as the best way to improve standards".

I am sure that the Minister agrees that, perhaps, his superior has got it wrong, so I shall give the Minister a chance in his summing up to say, "Yeah, on balance, the Member for Elmet is right and the Secretary of State is wrong." Any suggestion—*[Interruption.]* On balance, yes. Any suggestion that this, or any, Government could have sealed the end of the era for new laws to protect workers is very worrying, and such a move would be incredibly short-sighted in these turbulent times. On a serious note, I ask the Minister to respond to those particular comments when he sums up.

Today's debate should be seen in the context of the recent publication of two important reports, to which I have already referred, relating to low pay and migrant labour in the UK. They are the TUC's "Hard Work, Hidden Lives" report and the House of Lords Select Committee report "The Economic Impact of Immigration". Whether we like it or not, the Lords report—despite the overwhelmingly negative comments in the media and in this House—lends weight to the objective conclusion that increases in net migration have contributed to the creation and expansion of a low-pay economy. By enabling employers to hold down wages at the lower end of the labour market and facilitating a net expansion of low-paid jobs, migration has been an important contributory factor in shoring up a status quo that is unacceptable to low-paid residents and migrant workers alike.

Let us consider the effects on the resident population. A core conclusion of the report is that increases in net migration to Britain have resulted in winners and losers among the resident population. The report cites evidence that while migration has had a "positive absolute wage effect" on native residents of the UK, recent studies suggest a negative effect on the wages of the workers employed in the lowest-paid jobs, and those most in need of Government assistance. Evidence submitted to the Committee by Professor Dustmann and others suggests that every 1 per cent. increase in the ratio of migrants to natives in the working-age population ratio leads to a 0.5 per cent. decrease in wages for the lowest 10 per cent of wage earners. For example, evidence submitted to the Committee by the City of London Corporation stated that a concentration of immigrants in low-paid jobs in the capital had led to

> "significant downward pressure on wages at the bottom end of the market."

Far be it from me to say that, in effect, the Government have an unofficial incomes policy but that incomes policy only affects those towards the bottom of the wage scale.

Mr. David Anderson (Blaydon) (Lab): The incomes policy does not affect only low-paid workers, but all public sector workers in this country. Effectively, public sector workers are under pay restraints at this moment in time and have been for at least two years.

Colin Burgon: My hon. Friend is absolutely right. Yesterday, *The Times* reported that a large number of migrant workers are now employed in the care sector, which has massive repercussions for workers in that sector. In the Lords report, Professor Nickell says that negative wage effects are felt in the social care and cleaning sectors, in which low hourly-paid work is most concentrated. That reflects the existing economic theory as presented to the Committee. The report notes that it is typically assumed in conventional models that in

> "a simple short-run model of the labour market, immigration lowers the wages of local workers"

with whom they compete. It goes on to say:

> "Importantly, immigration creates a positive income effect for the resident population in aggregate only if immigrants are, on average, 'different' from existing residents in terms of their skills and human/physical capital."

The report notes that the bulk of recent immigration in the UK—more than 75,000 are workers from the A8 EU nations who gained free access to the UK labour market in May 2004—are employed in jobs that offer roughly the national minimum wage. Often those jobs come from employment agencies. As Professor Dustmann and Professor Ian Preston say,

> "immigrants appear to be most concentrated at precisely the same points where we find the most negative wage effects."

Jim Sheridan: My hon. Friend is right to raise the issue of the minimum wage. Although the minimum wage went some way towards easing poverty pay, some would argue that it did not go far enough. I should like to answer the point raised by the hon. Member for Buckingham (John Bercow) about the evidence that suggests that people are being denied the right to a minimum wage. He will be aware that people in the service sector are being denied the national minimum wage because their tips are included in their pay. Therefore, the public are subsidising unscrupulous employers and helping to pay service workers the national minimum wage.

Colin Burgon: Once again, my hon. Friend makes a very telling intervention. As I progress, I want to discuss the possibility of inspecting the average employer on the issue of the minimum wage, given that we have a regime in place to enforce it.

The report provides evidence to suggest that the bulk of net immigration into the UK has led to short-term competition between resident and migrant workers for low-paid work. Crucially, the report suggests that the downward pressure on wages at the lower end of the labour market has, over the long term, encouraged growth in the number of low-paid jobs. The number of low-paid jobs as a proportion of the British economy has increased and continues to do so. If that is the effect on resident workers, what is the effect on migrant workers, because they should not be left out of the equation?

In addition to highlighting the potential negative effects of increases in net migration on resident low-paid workers, the Lords report offers substantial evidence regarding the plight of many migrant workers in the UK who face insecure employment conditions and wages that often fall below the legal requirement stipulated by the national minimum wage. The report cited evidence that vividly illustrates the unequal employment conditions associated with employment in employment agencies, in which intermediary companies perform services on behalf of the user company. Current estimates suggest that there are 1.4 million agency and temporary workers in the UK, but the lack of reliable data means that the true figure could be far higher. Hopefully my colleagues will agree that such agencies have been a key means for employers to hold down wages at the lower end of the labour market. The report also cites evidence confirming the widespread abuses of minimum employment standards associated with many employment agencies.

Jeremy Corbyn (Islington, North) (Lab): I congratulate my hon. Friend on the debate. He must be aware that a major factor is the way in which the Home Office does not process wholly legitimate applications for long-term residence and family reunion in this country, which means that many migrant workers are grossly exploited, their children are denied access to health care and all the other services that we believe to be right, and also many are working in a twilight sector way below their skills and capacity, which increases the pressure on the cleaning and the catering sector. Does my hon. Friend not think that the Home Office needs to be brought into this debate to ensure that all workers in this country are legal workers and recognised as such?

Colin Burgon: My hon. Friend makes a valid point. Coming as he does from the London perspective, in which this issue is seen in a much harsher light than most other parts of the country, he speaks from experience.

David Taylor: I hate to disrupt a superb opening speech, but does my hon. Friend agree that one of the industries where the abuse of migrant workers is particularly rife is the food processing industry? If he ever saw the film "Ghosts", which talked about the cockle picker deaths in Morecambe bay, he would have seen clear evidence of gangmasters who were providing accommodation at exorbitant prices and transport to work at super-exorbitant prices. That is the way in which they are getting round the minimum wage legislation.

Further to what was said by my hon. Friend the Member for Paisley and Renfrewshire, North (Jim Sheridan), whose work on gangmasters has rightly been paid tribute to by hon. Members in this Chamber this morning, the Gangmasters Licensing Authority needs resources and needs a political priority coming from the very top. I hope that the Minister will announce some initiatives in that regard later on.

Colin Burgon: Once again, my hon. Friend has raised issues that the hon. Member for Buckingham was edging around asking me to address. The report cites practices whereby agencies impose various charges on immigrants' salaries for such things as accommodation, uniforms and, as my hon. Friend said, transport. That brings their salaries well below the hourly requirement stipulated by the national minimum wage.

The evidence from the House of Lords is supported by evidence from the TUC commission on vulnerable employment and the Government's vulnerable worker enforcement forum. Government measures coming into force in April 2008, which aim to halt such abuses by allowing agency workers to opt out of services provided alongside a job, may just remedy such abuses. We discussed that matter with a Minister in Committee. Again, the take-up of such provisions is likely to be hampered by the widespread ignorance of labour rights—we have raised the issue of language problems and so on—in the immigrant and resident communities who staff the employment agencies.

Again, I reiterate that I welcome the move on agency worker legislation: I hope that it is the beginning and not the end, as the Secretary of State seemed to indicate. But unfortunately, it is by no means clear that the recently announced Government commitment to give greater rights to agency workers will make anything like a significant difference to the suffering of migrant workers caught in the trap of the widespread two-tier employment system, which has depressed wages for resident workers, and the associated social tensions that are often exploited by the far right. The far right chooses to mobilise opinion against Poles or Latvians. We on the left say that these people are driven by huge economic forces and that we should be trying to understand the forces that drive these people and then to frame policies to address some of the issues.

John Bercow: I am grateful to the hon. Gentleman for giving way. He is making an excellent speech and has been generous in allowing colleagues to intervene. I confess that I am wary of highly burdensome regulation, but I do believe that once Parliament has passed legislation—I think that the minimum wage legislation is good legislation—it ought then to enforce it. Does the hon. Gentleman agree that Madeleine Bunting in *The Guardian* effectively summed up the problem when she said:

> "Poor pay is inextricably bound up with a culture of institutional negligence: no one ensures workers know their rights or how to find out about them; a myriad of enforcement agencies with tiny budgets confuse everyone"?

Is it not unsatisfactory that while millions of pounds are devoted to advertising for benefit fraud, the amount allocated to advertise the national minimum wage was, until a recent increase, one sixth of the sum spent on a Government campaign urging people to use tissues when they sneeze?

Colin Burgon: The hon. Gentleman makes an excellent point. He should join us now and again on these—

John Bercow *indicated dissent.*

Colin Burgon: Well, it was worth attempting.

Returning to the agency workers legislation, which we will be dealing with, I understand that after 12 weeks in work, temporary and agency workers will qualify for the same pro rata pay and conditions as full-time workers, but will they qualify for the other in-work benefits, such as sick pay and pensions? I should like some clarification from the Minister on that point.

On the potential impacts of the agency workers legislation, it is interesting that John Cridland, the deputy director general of the CBI, told the media:

> "Half of agency assignments will be unaffected as they last less than 12 weeks."

[Colin Burgon]

If he is right, we are effectively saying that 700,000 people—the ones we know about—will be totally unaffected by the new proposal. I do not want to class it as a Munich agreement, but it is something of a damp squib when compared with the expectations that many of us had.

I look forward with great hope to the proposed anti-avoidance measures, which are meant to stop employers evading the regulations. We know from our experience of such laudable measures as the national minimum wage that principle, enforcement and reality are often very different. For example, in November 2007 I asked in a written question for details of the number of national minimum wage enforcement officers policing the entire Yorkshire and Humberside region. I was told that the two offices at Shipley and Sheffield, which service the entire region, had seven each, and that by 2009 the figures would be increased—to seven in Shipley and eight in Sheffield. Given that our region is the third worst in the country for low-paid workers, and that the offices are based some way from Leeds, low-paid workers in Leeds are as likely to spot a minimum wage enforcement officer as they are to see Lord Lucan.

Clearly, even on a minimum level there is a huge amount of work to be done. I bring to the attention of hon. Members the fact that on current trends the chance of an employer being inspected is now once in every 330 years. I think that we could do a bit better—perhaps we can get it down to every 300 years; that might be satisfactory. The Lords report highlighted the problems associated with enforcement of the national minimum wage, and the evidence shows some ways in which employers contravene the minimum wage provisions.

I urge hon. Members to look at the report: it is a very good read. It confirms the fact that the national minimum wage regularly fails to provide a wage floor for low-paid workers, and that alongside a more general pressure to hold down wages at the lower end of the labour market it allows wages to be depressed below the legal minimum. However, although I have extolled the virtues of the report, it is strangely silent on the vulnerability of workers—both resident and migrant—in the informal economy; yet as the Low Pay Commission makes clear, the Government have no idea of how many are working in it.

The Department for Business, Enterprise and Regulatory Reform recently announced new measures aimed at reforming the minimum wage and cracking down on rogue employers, including fairer methods for dealing with minimum wage arrears, the toughening of penalties for those who break the law, and increasing the maximum penalty for non-payment of the national minimum wage to an unlimited fine. The Department states that the most serious cases of non-compliance will be tried in the Crown court, yet I would argue that those measures are corrective and are therefore dependent on rogue employers being caught in the first place. As we have heard, the sparseness of the resources devoted to discovering and tracking such employers, coupled with a range of barriers and disincentives that inhibit closer working between enforcement agencies, is likely to undermine the effectiveness of the measures. Indeed, the TUC says that it is a "national scandal".

The TUC report, "Hard Work, Hidden Lives", published last month, says that up to 2 million workers in Britain are still at risk of exploitation because of their vulnerable work status. Its research found some employees being paid £1 an hour, some working 70 hours a week, and others facing sexual abuse. The TUC also said that exploitative employment practices seen in the 19th century were still being used today. It found home workers being paid £1 an hour, fast-food employees working 70 hours a week, and domestic staff facing physical and sexual abuse. It is exactly those types of jobs that vulnerable migrant workers and serial low-paid and low-skilled resident workers fall into.

As part of the TUC study, a Community union survey of 8,000 workers found that three out of four workplaces used temporary and agency workers, with some on contracts of a week or less. Some were on only two hours' notice. Will the Minister tell us how the proposed strengthening of agency worker legislation will help workers on one-week contracts? Will the Minister tell us how the proposed strengthening of agency worker legislation will help workers on one-week contracts? Again, I look forward to his explanation on that.

Particularly at this time of economic difficulty and global turbulence, which hits the poorest hardest, I ask the Government, as a matter of urgency, to be bold—we are best when we are bold—

Jeremy Corbyn: And we are best when we are Labour.

Colin Burgon: I agree with that comment—do not get me into trouble. I ask the Government to ensure a continuation of the effectiveness of the minimum wage by taking forward recommendations from organisations such as the Institute for Public Policy Research and the Fair Pay Network. Those recommendations include maintaining the value of the national minimum wage to at least remain in line with average earnings growth over an economic cycle, and guaranteeing tougher, robust and meaningful enforcement of the minimum wage. Other proposals include incrementally increasing the present lower rates for young workers, offering skills and career advice to all low-paid workers in receipt of working tax credit, and improving their pay and prospects at work.

Critically, we should also build fair-wage commitments into central and local Government contracts and the huge financial transactions that national and local Government engage in. We—local and national Government—should be the agency that drives up terms, conditions and living standards for poorer-paid workers across the scene.

I shall end on the following point. At root, we are discussing a situation that I believe will not be improved through market forces. We have mentioned the word "agency" many times today, but the only agency that will bring justice and fairness into the arena of work is the Government, and they should not abdicate that responsibility. During the rough economic times into which we are moving, people expect a Government to defend them. It is the very least people should expect and I hope we can do so.

11.32 am

Jon Cruddas (Dagenham) (Lab): I know it is customary as part of the protocol on these occasions to congratulate my hon. Friend the Member for Elmet (Colin Burgon) on securing the debate, but I also wish to do so because of the content of his contribution. He touched on some profoundly difficult territory in terms of race, class and demographic change in this country, but he navigated through those issues creatively and touched on some public policy remedies that need to be part of the mix—not least, because of the point he made at the end of his speech.

As we enter more difficult economic waters, there is a possibility that the scramble over scarce resources and the race to the bottom that is arguably occurring in certain sectors of the labour market will become more intense and racialised. That raises real issues for the future in terms of what is euphemistically called community cohesion. My hon. Friend touched on that creatively. In the community that I represent, these are not abstract matters, and the issues of migration, low pay and insecure work need to be centre stage in terms of our public policy debates—not least because, as my hon. Friend mentioned, certain forms of compound abuse are involved. Often that relates to systemic failures in the Home Office, but forms of landlordism that I thought had been abolished 20 years ago, and forms of exploitation at work also compound the insecurities of some of the most vulnerable people in our communities.

I congratulate my hon. Friend on securing the debate because we often ignore such issues. We convince ourselves that we have presided over an economic miracle during the past 10 years, but the problems will not go away when we hit choppier times during the next few months and years.

I, too, listened to the programme on the radio this morning about the report from the Gangmasters Licensing Authority that painted a much worse picture of exploitation than it had imagined a few years ago. Last year, the authority revoked the licences of some 20 gangmasters for abuse and it expects to revoke about 60 by the end of this year. There has been a series of dreadful abuses in terms of transport and accommodation deductions, which make people's relative poverty even more intense than in terms of their nominal hourly wage cost. The TUC commission on vulnerable employment estimated that 2 million people are in such employment across the economy. It defined vulnerable employment as

> "precarious work that places people at risk of continuing poverty and injustice resulting from an imbalance of power in the employer-worker relationship".

We cannot have this debate without a broader discussion about poverty in the UK today. Let us consider the broader context in terms of in-work poverty. I refer hon. Members to the recent Institute for Public Policy Research report entitled "Working out of poverty: A study of the low-paid and the 'working poor'", and the figures that it has provided for us. More than 5 million people—more than one in five of those in work, or 23 per cent. of all employees—are paid less than £6.67 an hour. That is in the formal economy. Some 1.4 million poor children—the same number as in 1997—live in working households. Although since 1997 the number of poor children in workless households has fallen from 2 million to 1.4 million, the level of working poverty has been maintained and, as a proportion of total poverty, has increased over the last decade.

Arguably, therefore, we have seen a Government anti-poverty strategy that has been an in-work strategy. We need to develop a more systematic working poverty strategy that confronts issues relating to people's day-to-day employment. Half of all poor kids are in working households, up from 40 per cent. 10 years ago; and 57 per cent. of poor households are working households, up from 47 per cent. 10 years ago. The issue of working poverty, which relates to some of the points raised by my hon. Friend the Member for Elmet, will not go away. Indeed, as a proportion of total poverty, it is rising, which means that different remedies are needed from those based simply on getting people into work. The poverty that people face in work now needs to be addressed.

The report by the House of Lords Economic Affairs Committee, "The Economic Impact of Immigration" refers to the role of immigration in the creation and expansion of a broader low-paid economy. I refer, too, to some of the evidence that my hon. Friend recited, as sent to me by the Fair Pay Network. There were three pieces of evidence that he used to describe a contemporary, modern-day incomes policy. The use and abuse of migrant workers in that respect is demonstrated by some of the specific empirical evidence that he documented.

The first piece of evidence is from Professor Dustmann: every 1 per cent. increase in the ratio of immigrants to natives in the working age population led to a 0.5 per cent. decrease in wages for the lowest 10 per cent. of wage earners. Secondly, my hon. Friend used evidence from the City of London corporation that reinforced the argument that significant downward pressure on wages at the bottom end of the labour market is occurring through the abuse of migrant workers. Thirdly, there was evidence from Steve Nickell that negative wage effects are concentrated in sectors, including social care and cleaning, where low-paid hourly work is most concentrated.

A series of different empirical studies reinforce the idea that migrant workers are used in certain segmented labour markets to reinforce patterns of low-wage, low-skill employment, and that the bulk of recent migration to the UK is gravitating towards jobs that are low paid—around the level of the minimum wage. Professor Dustmann concludes that immigrants appear to be most concentrated at precisely the same points where we find the most negative wage effects.

All of that reinforces the evidence in academic economic texts over some years of the intensification of what is called an hourglass economy—growth at the top end of the labour market, but a broadly expanding low-wage, low-skill labour market. It is often linked to patterns of public service contract structures and is interlinked with patterns of net migration and abuse by employers.

For me, as I said, this is not an abstract debate. Our borough has the lowest-cost housing market in Greater London and is the lowest-cost wage economy in terms of the wage rates of the resident population, so we have seen the effects at first hand. Our community is the fastest changing, not least because of right to buy, which has created a private housing market that we have never had before. Over the past few years, there has been an intensified scramble for limited resources—most noticeably housing, but also public services more broadly.

In the workplace, we have seen a race to the bottom, with tensions over access to, and the quality of, paid employment. That takes us back to the empirical evidence that employees are being paid below the national minimum wage, as was mentioned earlier. The best example of

[Jon Cruddas]

that, which we pointed out to the Low Pay Commission when it was gathering evidence for its recent report, involved Lithuanian employees on a public contract in London at the back end of 2007 who were paid about £2.50 an hour, or barely half the minimum wage. They were eating cold beans from a tin for their lunch while they were on the job. That is not a unique experience; such stories ricochet around the community, so everyone knows them, which creates a heightened sense of vulnerability across broader labour markets.

There is thus the challenge of massive demographic change, intensified insecurity in the workplace and a scramble for limited public services, with a legacy of poor public services in a poor community. The collision between change and that legacy of need is creating a rich, fertile ground for the far right to inhabit, so it is no surprise that the fastest-changing community in Britain is also on the front line of the battle against the far right, which is moving in and intensifying the racialisation of access to public services. There are also tensions over workplace activity and insecurity, and unless the Government step in to provide remedies for the heightened sense of vulnerability in the workplace, the situation will become more intense.

John Bercow: I hope that I have not misunderstood what the hon. Gentleman has just said. We are all familiar with the problem that illegal pay in the informal and, by implication, often invisible economy makes the situation that much more intractable. However, am I correct in understanding his reference to a public contract to mean that he knows of cases of people being paid illegally as part of a service provided under contract to central or local government? If that is the case, it really is scandalous. Those organisations should be named and shamed and should not be on any list of contractors supplying services to central or local government.

Jon Cruddas: I tentatively suggest that it would be naive to assume otherwise, especially given the whole supply chain involved in public procurement. I would not be shocked to the core by the possibility that the House, through its contract regime, was employing unregularised migrants, or paying migrants and indigenous employees below what was set out in statutory terms and conditions of employment. My unscientific take on things is that such forms of abuse are rampant across environments such as the community that I represent.

Jeremy Corbyn: I am glad that my hon. Friend has drawn attention to that point. I am sure that he supports the "Strangers into Citizens" campaign, which, if it is successful, will help to reduce the exploitation of migrant workers. If such people ever complain to an employer of any sort—be it a gangmaster, agency or anybody else—they find themselves before the Home Office threatened with deportation.

Jon Cruddas: That is right. My hon. Friend the Member for Elmet referred to the fact that there might be a different combination of forces in London, as opposed to other parts of the country, and it is worth dwelling on the situation in London, which I touched on earlier. There are compound abuses. There is the Home Office's systemic failure and the fact that people are often provided with appalling legal advice. Employers and landlords abuse those most vulnerable workers, and criminality is often interlinked with that. There are therefore five or six elements to the compound abuse, and we need a remedy that goes above and beyond simple labour market remedies of the type that we mentioned earlier.

There are issues about how we deal with the legacy of unregularised migrants in cities such as London. Some informed estimates suggest that the number could amount to 500,000 or 600,000 people, which is why people must become involved with the "Strangers into Citizens" forum, like my hon. Friend the Member for Elmet and me. The forum involves vibrant coalitions of trade unions, Church groups and political activists speaking on behalf of those who most need help, namely the most vulnerable, who are abused most systematically, especially in the workplace, which is the subject of the debate.

Remedies could be provided to the intense exploitation of some of the most vulnerable people, but it is an exercise in political will—such things do not fall out of the sky and they are not God given. My colleague, my hon. Friend the Member for Elmet, mentioned some proposals. We could have a low-pay benchmark that is higher than the minimum average, for example 60 per cent. of median full-time earnings of £6.67 an hour; we could expand the role of the Low Pay Commission to monitor and report on low pay, or set out an ambition to tackle low pay as an active public policy. The procurement regime could be altered—billions of pounds worth of public contracts are on the runway every year—or we could have fair employment conditions based on a living wage in London, and enforced by the state. Those things would mean that the state is on the front foot in saying that we should not tolerate such forms of compound abuse in our city. As was discussed, we could examine the regulation of employment agencies, which more often than not are a Trojan horse to deregulate further other employment relationships, or we could extend the Gangmasters Licensing Authority to other sectors. A series of remedies could be provided if we had the political will to do so.

To go back to some of the points touched on by my colleague, if we do not provide such remedies, I worry about the combustible combination of forces that we are developing, namely patterns of migration, and the intense exploitation of some of the most vulnerable and fastest changing communities in our society. It should be incumbent on a Labour Government to remedy the combination of forces that leads to the immiseration of the most vulnerable in our society. I commend my colleague for raising the profoundly complex issues of race and class—we who are involved in politics here in Westminster cannot ignore them or swerve around them.

11.47 am

Jeremy Corbyn (Islington, North) (Lab): I shall be brief because other colleagues wish to contribute. I thank my hon. Friend the Member for Elmet (Colin Burgon) for obtaining this timely and important debate and congratulate him on doing so.

Like my hon. Friend, I shall begin by putting the issue into context. Migrant workers in the UK are grossly exploited, by and large, but they make an incredible contribution to the economic well-being of our society. Our standard of living is largely dependent on migrant labour, so those newspapers, in particular the *Daily Express*, that constantly cite bogus immigration figures and distortions about the impact of immigration and about net migration from this country, would do well to reflect for a moment on what kind of public services, science, transport and manufacturing industries we would have if there had not been significant migration to the UK over the past 50 years. We do well to remember that we are a multi-ethnic, multicultural society that draws skills and abilities from people from all over the world, and that we have all benefited from it. We should be proud of that, not ashamed of it, and we should not allow xenophobia to take over the debate.

My hon. Friends the Members for Elmet, and for Dagenham (Jon Cruddas) mentioned the appalling nexus of poverty, lack of effective regulation of the national minimum wage and the issues that arise from those things. Like my hon. Friend the Member for Blaydon (Mr. Anderson), I am a former official of the former National Union of Public Employees, which is now Unison. The union campaigned strongly for, and finally achieved, a national minimum wage. The wage is actually very low—it is a low benchmark—so it is disgraceful to expect anyone to work for less, yet many people are expected to do so. I pay tribute to the former Mayor of London, Ken Livingstone, for forcing the London living wage of £7.20 per hour through all aspects of public procurement by the Greater London authority. That is considerably more than the national minimum wage, but it set a benchmark for other employers in the capital, which is important. When the Minister replies, I hope that he will give us an undertaking that the Government will do their best to ensure that in all aspects of procurement, wherever the supply chain comes from, national minimum wage conditions, at the very least, will be enforced by employers all the way down the line. I should not be surprised to find that even in this very building, which seems to be developing a culture of agency working, people are working for less than the national minimum wage. I have no evidence one way or the other; I just think that it is worth inquiring into the matter.

The issue of migrant workers is not new and is not confined to the UK alone. Last autumn, I represented the Inter-Parliamentary Union at a conference on "Migration: the human rights perspective". I was elected rapporteur for the conference, which was attended by delegates from 35 countries around the world. Unfortunately, they were mostly from Africa, Latin America and Asia; disgracefully, most European countries did not bother to attend—it is hard to get from Paris or Berlin to Geneva, so obviously, the journey was far too great for them. It was disappointing how few European countries were represented. I will not go into all the details of the lengthy statement that we issued at the end of the conference, but I draw to the Minister's attention a couple of points from it.

We made the point that

> "we as parliamentarians and opinion leaders need to speak more clearly and publicly of the important—and often indispensable—contribution of migrants to growth and prosperity. This also requires us to confront fellow parliamentarians when they appeal to emotional negative stereotyping of 'the migrant' for political gain."

We must stand up against xenophobia in all its forms. We have a responsibility to do so. Specifically,

> "fundamental international labour and human rights norms apply to migrants without exception…the ILO Conventions, in particular Nrs. 97 and 143j. and the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families provide an international charter"

that gives some degree of security for migrants.

Can the Minister assure us not only that the UK supports those conventions, which it has signed, but that he will ensure that they are actively carried out? When I reported to the conference on the success of the private Member's Bill promoted by my hon. Friend the Member for Paisley and Renfrewshire, North (Jim Sheridan), which became the Gangmasters (Licensing) Act 2004, it was well received. A lot of people were very interested in the concept of introducing some regulation for people who are grossly exploited in the workplace.

My final point concerns the role of the media. About 3 per cent. of the world's population are migrant workers of some form. They are shunned and treated disgracefully in many countries whose economies they have built. Many of the glittering 19th and early 20th-century skyscrapers of New York and Boston were built on the backs of migrant workers. When we look at the great edifices of the world, we see the contribution made by migrant workers. This country, too, relies upon them. We have a duty to ensure that those people are fairly, decently and properly treated.

As my hon. Friend the Member for Dagenham pointed out, the far right and racists within our society exploit issues of low pay and access to jobs and services. The way to confront that is to end the nonsense in the Home Office, which seems incapable—in my view, almost deliberately—of dealing with wholly legitimate cases involving long-term UK residents. Employers can exploit that situation by threatening those who complain about conditions with removal from this country. We need to develop a much greater sense of solidarity within the entire community to end such division and exploitation. We can do it. Through the national minimum wage, effective inspection, the licensing of gangmasters and through public procurement policies, we can ensure that a scar on the lives of many people who are badly paid and badly treated can be removed. I thank my hon. Friend the Member for Elmet, and congratulate him on securing this important debate.

11.54 am

Mr. David Anderson (Blaydon) (Lab): I, too, thank my hon. Friend the Member for Elmet (Colin Burgon) for securing this debate, but it is a shame that we have to have it. The issue should have been put to bed. Our Government and party have done fantastic work in the past 10 or 11 years, on the introduction of the minimum wage, as has been mentioned, as well as on the working time regulations, the extension of maternity pay, the right to paternity leave, sick pay and paid holiday entitlements, the right to trade union membership and the gangmasters legislation brought in by my hon. Friend the Member for Paisley and Renfrewshire, North (Jim Sheridan). Clearly that raises issues, but the agenda has all been positive.

It is sad that we are here today talking about an agenda that, to me, is about going back to the future. It is about going back to the late '80s and early '90s, when,

[Mr. David Anderson]

as a local trade union official in Newcastle upon Tyne, I was faced with the reality of telling care workers, hospital cleaners, school workers, school meals ladies and school cleaners, "I'm sorry; you have lost your contract. I'm sorry; your pay is going to be reduced. I'm sorry; you will no longer be seen as a member of the national health service. You will be working for Joe Bloggs' cleaning company." I thought that we had done away with those days, and put them behind us when we got rid of things like compulsory competitive tendering. I thought we had got away from those days, and what we went for in this country was value-led, not cost-driven, services. It would appear from the debate today that sadly that is not the case for far too many people.

In the mid-1990s, as a national official of Unison, I worked with people who, to use their language, rescued Filipino nurses from working in care homes. Those Filipino nurses were educated to degree level and were brought to this country under false pretences, being told that they would work as qualified nurses. They worked as basic grade care workers and were treated and paid in that manner; but, even worse, they were made to pay for accommodation. They were even made to pay for the lend of a bike to ride to work. They were made to pay a bond back home in the Philippines and they were made to pay a bond in this country. The term that we used then when we got those people out of that employment and into proper public service work was rescue. We should not be back in that situation today, talking about having to rescue people from exploitative employers. It is all so sad that the impact on today's labour market is not just on those workers. It is, as my hon. Friend the Member for Elmet said, on other people in the work force. We have still not resolved the disgraceful situation by which seamen in this country are not paid the national minimum wage.

[MISS ANNE BEGG *in the Chair*]

Also, many people are losing their jobs. One of my constituents, for example, is a man who spent most of his life working in shipbuilding on the River Tyne, earning about £12 an hour as a skilled engineer. Because of a lack of orders, including Government orders, shipbuilding hardly exists now on the River Tyne. My constituent, at 63, is now faced with the reality that he might have to work offshore to make a living wage, because, in his trade as a plumber, he cannot compete with the ridiculously low wages that have appeared in the north-east of England because migrant workers are being exploited by employers. That does not help him or the work force and it does not help our party or the Government.

The workers of this country are concerned about the issue, which is a core issue for Labour party members. It is about why we are here and what we represent. In the real change that has happened in our party and Government in the past few years to become business-friendly, have we forgotten we should also be worker-friendly? If we have, that is a disaster for us, and not only for the people who are the traditional workers, but the millions of new workers who do not understand the history of our party and do not have the relationship with it that they would have had if they had come here many years ago and integrated into the work force as people did over centuries.

I was sorry to hear in the speech of my hon. Friend the Member for Elmet that the Secretary of State had said effectively that we are at the end of employment legislation in this Parliament. I hope that that is not true, because we need to put resources into making things like the vulnerable worker enforcement forum work. We need to take real action. If we need to legislate to make sure that those things work properly—and it sounds from what has been said today that we do—we should not be frightened to do it. We should do it for the right reasons.

11.59 am

Sarah Teather (Brent, East) (LD): I congratulate the hon. Member for Elmet (Colin Burgon) on securing the debate. He made a very interesting and detailed speech, and it is obviously something that he feels passionate about. It will not surprise him to hear that I am not sure I agree with all of his philosophy. I agree with some of his solutions, but disagree with many.

Not all migrant workers are vulnerable. The CBI's 2007 employment trends survey shows that demand for skilled and managerial professional workers remains strong. Most firms hiring staff from the new EU member states, for example, expect them to be skilled, so although many migrant workers fall into the category being discussed today, it is important to make it clear that many are highly skilled and do not fall into that class of vulnerable workers. I certainly welcome, however, the focus on vulnerable workers, who are an issue in my constituency, but it is important that we distinguish between those working illegally and those working legally but being exploited. The outcome might be the same, but the solutions are clearly different.

The hon. Member for Elmet quoted the TUC and Lords reports as examples of recent reports discussing this issue. However, another recent report, by the Work Foundation, provided a highly academic analysis of the impact of migration on wages and employment. I recommend that all hon. Members interested in this issue read that report. It reached slightly different conclusions from the House of Lords report and quotes the OECD meta-analysis of all the work done in the developing world and found a very limited impact on employment and wages. Certainly on employment, if anything, the impact was found to be slightly positive, although that is a temporary effect. On wages, it found that the impact was negligible for most countries—the exception being the USA, where there is no effective minimum wage law. That is very important.

The Work Foundation also examined the trends in wages in low-paid employment, particularly in the hotel, catering and construction industries, and found great transience in wages, but the pattern largely followed the trend in minimum wage rises. Wage rises slowed when the increase in the national minimum wage also slowed. The picture is obviously very complicated, and it is difficult to demonstrate an overall effect at the macro level, but that is not to say that there are not local impacts. A number of hon. Members have discussed local impacts in their own constituencies. It is also very clear that there are particular impacts where there is abuse of migrant workers working legally. The hon. Member for Elmet and others spoke about the chances of being inspected for breaching minimum wage legislation—the figures are shocking—and about other abuses of existing legislation. The question is: how do we deal with that? There is always a temptation to legislate further, which has been part of the debate so far. I agree with the hon. Member for Buckingham (John Bercow) when he said that there is a tendency to instinctively legislate, but we can enforce existing legislation. There is no point in creating new legislation if we cannot enforce existing practices.

I welcome the agreement between the CBI, the TUC and the Government on temporary agency workers. I look forward to seeing the details, however, because it is difficult to see from this vantage-point exactly what we are dealing with without knowing the detail of the behind-the-scenes discussions. We will certainly look at that when legislation is published, later this year, I assume. However, I am concerned that the rights of many people already working legally for an agency for more than three months are not enforced, and I question whether tightening up the legislation will necessarily yield our desired outcome. New legislation will not necessarily create a change in practice. The priorities must be a change in the levels of information and enforcement.

John Bercow: The hon. Lady is right to remind us, as I sought to do, of that which exists but is inadequately enforced. On the subject, to which much reference was made, of media hype and scaremongering, would she agree that whatever the claims of the media, it would be extremely unwise and entirely arbitrary simply to impose a national limit on the number of migrants admitted to the country on, for example, an annual basis? It would very likely be wrong, and there is no good cause for it.

Sarah Teather: I completely agree. Immigration—in particular with respect to work gaps—must depend on the gaps in the market. I can see us imposing an arbitrary limit and then finding that Chelsea want a new footballer for their team—when we have already had the quota of immigrants for that year. What on earth would we do then? I am sure that there would be an outcry from the very same papers that said there should be a quota.

Colin Burgon: Not from Leeds fans.

Sarah Teather: But not from Leeds fans. I am sure that that is very true.

On enforcement, will the Minister comment on Citizens Advice recommendations for an enforcement commission to consider other areas that legislation covers in practice, but where it is difficult for people to exert their rights because of a lack of information and of a practical system?

Jeremy Corbyn: Does the hon. Lady also agree that it is important for public and local authorities and Government agencies to ensure that everyone whom they employ is at least on the minimum wage and properly employed, rather than turn a blind eye to it and accept the lowest possible bid in this contract-culture era that we are in?

Sarah Teather: I absolutely agree. The hon. Gentleman makes a sensible point.

I shall move on to the issue of illegal workers, which the hon. Members for Dagenham (Jon Cruddas) and for Islington, North (Jeremy Corbyn) spoke about extensively. I feel particularly strongly about it because I see it in my constituency. If there is an impact on the low-paid, that is where it comes from, because illegal workers are neither covered by minimum wage legislation nor protected by employment legislation. One only has to take an unlicensed minicab in London and have a conversation with the driver to understand that we have the most over-qualified minicab drivers in the world. The number of people I have spoken to who are doctors or professors in their home country but who in this country are forced to drive minicabs illegally is particularly shocking.

In my constituency, on Chichele road, whenever the media are looking for a story about illegal casual labour, they tend to film the number of casual labourers waiting, sitting on walls outside people's homes from dawn each day. Some of them are legal and just looking for casual labour, but many are not, and as successive waves of immigrants have been unable to regularise their status, we have seen the change in the nature of those people sitting on that wall on Chichele road. It is a tragic situation and those people are very vulnerable.

The Government's own estimate is that there may be as many as 600,000 irregular migrants in the UK. Many of them are working illegally. Several hon. Members talked about the churches' campaign, "Strangers into Citizens", which is a very good and interesting campaign. It is good to have a coalition of people campaigning on behalf of vulnerable people who are often overlooked. We really must face the facts about that group of people: we simply cannot deport all the people who are here illegally. It costs about £11,000 for each deportation, and I have seen a number of shocking examples of botched deportations, when people should have been sent home but the Government have been unable to manage it. No way are we going to deport them all, so the Government should concentrate on those who are criminals and make no contribution to the UK, ensuring that we bring the others out of the shadows so that they have an opportunity to integrate. They should be paying tax in this country.

If one has been in the UK for 10 years, has not committed a criminal offence and can speak English, one should be eligible for a two-year work permit, which should be the beginning of an earned route to citizenship. We should ask people to demonstrate their long-term commitment to the UK, enable them to do it and fast-track them on to indefinite leave to remain.

Complementarity is the argument used by employers for the need to recruit workers from overseas. Everybody says that it is a short-term solution to the lack of skills in this country, but we are not doing anything to ensure that we aim that work at areas where there are skills shortages. I would like the Government to consider the possibility of increasing the cost of those work permits but ring-fencing the money to be used in targeted areas to increase skills, particularly where there are shortages in the economy. That interesting solution might meet many people's concerns.

12.10 pm

Mr. Jonathan Djanogly (Huntingdon) (Con): The hon. Member for Elmet (Colin Burgon) raises an important subject today, about which he spoke strongly.

[Mr. Jonathan Djanogly]

The protection of migrant workers is, of course, important. I am sure that all hon. Members in the Chamber today want to do everything in their power to put an end to the exploitation of certain sectors of the migrant work force and to prevent a rerun of the Morecambe bay tragedy. I agree with the hon. Member for Dagenham (Jon Cruddas) that the issue needs to be looked at in a broader context, as it raises important questions about the control of immigration and dealing with poverty. I would add to that list, although the hon. Gentleman might not, the environment that we have created for employers—namely, the job creators.

What should not be a factor is xenophobia, as was strongly suggested by the hon. Member for Islington, North (Jeremy Corbyn). Given that unemployment has risen for the last three months in a row and is predicted to rise increasingly over the next year, I agree that the subject needs to be analysed carefully. The challenge is to deliver action to prevent the exploitation of migrant workers without putting further strain on our already overburdened businesses.

We should certainly be looking to improve conditions for migrant workers by the better policing of existing legislation. Rights already exist, such as those in anti-discrimination law, health and safety legislation and employment and tax law, to protect vulnerable workers. It is important that Departments in charge of administering those areas work together efficiently and effectively to enforce those laws to achieve the intended effect. As the TUC recently argued, it is also important that employees are made aware of their employment rights. The trade unions are in a strong position to increase such awareness among workers, and their contribution is recognised in the recent report of the TUC's commission on vulnerable employment. Indeed, I and my hon. Friend the Member for Rutland and Melton (Alan Duncan), the shadow Secretary of State, were pleased to have contributed to that report. One area where the law needs to be more strictly enforced is on the operation of gangmasters. They can fulfil an important role in providing flexible short-term labour, but there is much evidence of illegal gangmasters breaking the law in various ways.

As my hon. Friend the Member for Buckingham (John Bercow) said—it was also argued by the hon. Members for Elmet and for Brent, East (Sarah Teather)—there is little point in having tough legislation if it is not adequately enforced. That, I would add, is despite the fact that such a failing is a hallmark of the Government's administration across the board.

The Conservative party supports the proper monitoring of the legislative provisions that relate to the payment of the minimum wage. It is currently estimated that 292,000 workers are being paid less than the minimum wage. I shall be joining the Government in speaking on behalf of workers who need to be protected from such exploitation when we debate the topic in more detail in the forthcoming Employment Bill, which is now wending its way through the other place. However, it must be appreciated that there is much conflicting opinion on the effect that immigration has had on wages.

I agree with the hon. Member for Brent, East that not all immigrants are poor, but today's debate is about those who are poor, and I speak in that context. The House of Lords Economic Affairs Committee examined the issue and found, as various hon. Members said, that although immigration has had a positive effect on the wages of better-paid workers it has had a negative impact on those on lower pay.

John Bercow: I am extremely grateful to my hon. Friend for giving way. One can argue the toss—there is scope for different theses—about the impact of immigration on national income and whether or not it has made the country richer. I think, on the whole, that it has. Would my hon. Friend nevertheless agree that it is critically important to recognise, against the manic rantings of the red-top tabloids, that the evidence clearly shows that immigrants contribute more to the national cake than they take from it?

Mr. Djanogly: I agree that immigrants have contributed a lot to this nation, but whether every immigrant contributes more or less to the national cake is something that has to be considered on an individual basis. I am arguing that when it comes to pay, the evidence is definitely at odds. The 2008 report of the Low Pay Commission, which investigated the influx of migrant workers to Britain, was more on the lines set out by the hon. Member for Islington, North, noting that

> "it appears that migrant workers are contributing to the success of the UK economy by filling gaps in the labour market and that, in general, they have not displaced UK nationals in the workplace".

That is more like the argument proposed by my hon. Friend the Member for Buckingham. The evidence, however, is not conclusive. The report also dispelled the idea that migrant workers are routinely paid less than the minimum wage. It said that

> "the vast majority of employers support and comply with minimum wage legislation".

It is important that we make that point. The effect of immigration on wages in the UK is uncertain. While that remains the case, we need to be wary about introducing new legislation that will distort market flexibility in a difficult economy.

Jeremy Corbyn: On the hon. Gentleman's point about the importance of the national minimum wage, will he support me in welcoming the London living wage introduced by the former Mayor? Will he assure the House that the current Mayor of London will continue that humane and decent policy of ensuring that the reality of high costs in London are recognised in payment?

Mr. Djanogly: The general point is that there is a case to be made that the public sector should have a say on a voluntary basis in setting standards. That is generally to be encouraged.

Jeremy Corbyn: What is the answer?

Mr. Djanogly: It is not for me to give the hon. Gentleman an answer. He needs to ask the Mayor.

We now have an economic climate in which employers often have to employ migrant workers because they find it too expensive to employ British people. The hon. Member for Elmet said that the Government strategy affected the lower paid. However, the proposed agency workers legislation—the Minister might want to put me right on this—will not only capture the low paid. Between 1991 and 2006, a net 2.3 million immigrants arrived in

Britain. In 2006 alone, 130,000 non-EU nationals were granted settlement. That represents a significant strain on our country's infrastructure. Whether such an influx is for good or bad may vary in different cases. The Conservative party has proposed that there should be an annual limit on immigration with admission based on the benefit to the wider economy.

Protecting migrant workers from exploitation is important. However, that is only part of the story if we are to tackle the underlying reasons for the need for such workers in the first place. The Conservative party proposes not only to cap non-EU immigration and bring in a more effective border police, but to look at ways to get the 1.61 million British people who are currently unemployed back into work—not least through welfare reform. We also propose providing the means to reintegrate into society the 25,000 under-18s who are currently not in education, employment or training. We would also make it easier and more attractive for businesses to take on employees. As the economy worsens and unemployment rises and wages are eroded by inflation, action needs to be taken to encourage employment, yet the Labour party is proposing further changes to employment law that will make employing staff an even greater burden for business. For example, the Government recently increased the rights of temporary and agency workers, and that is before the next round of the Warwick agreement. Labour, therefore, has adopted a very damaging attitude towards business.

Increasing working rights may be acceptable, but it will mean that more businesses will have to employ temporary workers to cover shortfalls. However, the recent beer and sandwiches deal means that employing such temporary workers, many of whom will be immigrants, will now be more expensive and burdensome for businesses. The unions may think that by demanding tougher monitoring of immigrant labour, it is less likely that companies will employ immigrants. The hon. Member for Elmet called the current position unacceptable, but that is too simplistic. Put in a wider context, more businesses are likely to be priced out of employing workers legitimately and may even be pushed into employing illegal immigrants.

To conclude on what we agree is a complicated issue, the protection of migrant workers is important for the Conservative party. Although a general legislative framework exists to tackle the problem, more should be done to improve policing in this area.

12.20 pm

The Minister for Employment Relations and Postal Affairs (Mr. Pat McFadden): As is customary, I begin by congratulating my hon. Friend the Member for Elmet (Colin Burgon) on securing the debate. He spoke with great thoroughness about a difficult set of issues. He began by saying that there was a basic consensus between the two Front Bench spokesmen on these issues. I am not sure whether he still holds that view, having heard the contribution of the hon. Member for Huntingdon (Mr. Djanogly). However, that is for him to decide.

My hon. Friend the Member for Dagenham (Jon Cruddas) was right to say that the politics of the issue can be toxic—the debate feeds into some difficult political issues. Members, including my hon. Friends the Members for Islington, North (Jeremy Corbyn) and for Blaydon (Mr. Anderson) and the hon. Member for Brent, East (Sarah Teather), raised some issues that I hope to be able to cover.

The issues are important, because any decent society and any good economy demands that all workers, whether they were born in the country or not, get decent treatment at work. Migration is not new. People have always sought to move around the world for a better life; it is not an ignoble ambition. People come to the UK in search of a better life. The starting point for any discussion of the issues—certainly on the Government's part—should be to acknowledge that there are some 3 million more people in work today, compared with 11 years ago, and all of them enjoy better employment rights in a number of ways than was the case more than a decade ago.

I start by mentioning the minimum wage. On coming to power, one of the Government's central ambitions was to put a decent floor underneath the labour market. Warnings of disaster emanated from the Conservative party, but they did not come true. However, simply beginning the minimum wage was not the end of the story; it is also about how things have been handled since it came into force. The minimum wage has grown, both in real terms and as a proportion of national average earnings, since it came into being almost a decade ago. The Low Pay Commission model has worked well. The Government are committed to ensuring that all workers who are entitled to the minimum wage get it.

Let me say something about enforcement and the resources for enforcement—a point raised by the hon. Member for Buckingham (John Bercow). Last year we recognised that there was a legitimate issue. An extra £2.9 million per year, over the course of the current spending review, has been put into national minimum wage enforcement. We have seen some of the fruits of that, particularly over the past year. The money is spent in two areas: on the staff who enforce the legislation and on promoting awareness of the minimum wage. That is critical when dealing with migrant workers, many of whom arrive in the UK not knowing the employment rights to which they are entitled. For example, in the past year we were able to fund extra publicity in some non-English language newspapers, in radio advertising, and in a bus that visited 30 towns and cities throughout the United Kingdom, making contact with tens of thousands of people, to advertise better people's entitlement to the minimum wage. However, that is not all.

Hon. Members have mentioned legislation. My hon. Friend the Member for Blaydon said that we should not fear legislating on such issues. We do not fear that. In fact, the Employment Bill, which is about to be introduced in the House, will address a number of these issues. First, where people are paid below the minimum wage, the system of arrears will be improved so that we no longer have a situation in which people are, in effect, giving an interest-free loan to a bad employer who pays below the minimum wage. Secondly, the penalty regime will be stiffened for employers who do not pay the minimum wage or who contravene the agency regulations. I look forward to holding Opposition Front Benchers to their indication that they will support the Bill when it comes before the House.

John Bercow: What the Minister said about interest gives me very belated gratification. As long ago as March 1998—at approximately five o'clock in the morning

[John Bercow]

during our debate on the Floor of the House on the Report stage of the National Minimum Wage Bill—I tabled an amendment to the effect that employers who were eventually forced to cough up in cases of non-payment should have to pay interest. Given that the Minister believes in the Low Pay Commission model, however, will he tell me why the Government are resistant to the idea that 21-year-olds should get the full adult rate? That seems to be a basic matter of fairness.

Mr. McFadden: The hon. Gentleman made two points. First, there was the issue of the interest-free loan, and we are, as I said, correcting that situation through the Bill that is coming before the House. Secondly, we take the Low Pay Commission's recommendations very seriously. The issue of 21-year-olds is probably quite marginal either way, but we will continue to examine it. However, we are also alive to the need to ensure that younger workers have a chance in the employment market, and that factor must be taken into account.

On resources, one of the issues that has been raised, including through the Government's vulnerable worker enforcement forum, which I chair, is where people go to report an abuse, how they do so and how any decision is enforced. In line with the Employment Bill, the Government have allocated £27 million over the coming three years to expand the work done by ACAS in resolving disputes at work. ACAS offers a high-quality service, which will now be expanded, and we want to encourage employees and employers to use it to resolve disputes at work.

My hon. Friend the Member for Elmet and several other hon. Members mentioned agency workers, and the issue has been high on the agenda for a number of years. The backdrop is a European directive. My hon. Friend and I may not take exactly the same position on the matter, as I suspect his position is that we should have signed the directive that was put before us. We did not want to do that, however, because we wanted to achieve two objectives: fair treatment for agency workers, and the kind of flexibility for UK employers that has been important in ensuring that we have 3 million more jobs in the economy. Against that backdrop, we brought together the TUC and the CBI and negotiated an agreement to ensure equal treatment on basic pay and conditions after 12 weeks, with the possibility of local agreements outside that.

My hon. Friend asked specifically about occupational benefits. They are excluded from the deal, which is about basic pay and conditions. However, the agreement does secure our two objectives of fair treatment for agency workers and flexibility for employers. The story is not over yet, however, because we must now reach a satisfactory agreement in Europe that recognises the validity of the social partner agreement so that we can introduce the legislation to implement it. Those European discussions are going on at the moment.

The hon. Member for Brent, East said that she had not seen details of the agreement, but I remind her that there was a written ministerial statement. A copy of the proposals has also been published and is available in the Library.

Rights for migrant workers have been increased in many other ways. When the vulnerable worker enforcement forum publishes its findings, we will have more to say about this important issue.

UK Aid (Mozambique)

12.29 pm

Mark Pritchard (The Wrekin) (Con): I am grateful for the opportunity to bring this issue before the House. I begin by recognising the progress that Mozambique has made in many areas since 1992, after a long and savage 16-year civil war. I would also like to recognise the leadership of President Guebuza. However, the European Commission has rightly recognised that corruption is still an issue in many parts of the public administration of the current Government and, indeed, in many of the agencies of that Government.

I would like to counterbalance that by mentioning the European Commission's recognition that on many macro-economic issues there has been more stability in relation to and better management of some areas of public finances. Nevertheless, as the Commission and other European Union partners recognise—and as I hope the Minister will say later—there is still much more to do. Corruption is still a cancer that eats away at the heart of some areas of the Mozambique Government and their agencies.

Through the Department for International Development, the British Government are the largest donors in Mozambique. The total aid programme is £60 million for 2007-08 and £41 million of that will go directly to Mozambique's Government. Running the machinery of the Mozambique Government is very much in the hands of the UK Government and, indirectly, the British taxpayer. DFID, quite rightly, has large programmes in health, education, and infrastructure to combat the problem of HIV/AIDS and to deal with many of the victims of the disease in that country. In fact, between 2008 and 2012, DFID's five-year programme is worth about £240 million. The British Government and British taxpayers have put a not insignificant amount of money into Mozambique.

May I ask the Minister whether Her Majesty's Government are confident that there are enough checks in place to root out and expose corruption in Mozambique and whether they have confidence in the willingness of the Government of Mozambique to deal with those issues? Where is the evidence of them dealing with such matters? I see that the right hon. Member for Streatham (Keith Hill), the former Parliamentary Private Secretary to the former Prime Minister, Tony Blair, has just entered the Chamber. The former Prime Minister did an excellent job with other partners on the Commission for Africa. The commission quite rightly recognised that corruption is one of the key issues facing aid and development programmes in not only Mozambique but many other parts of Africa.

We know that the current Prime Minister is, at least for the time being, a supporter of Mozambique and that he has a close interest in the country. If that extends to ensuring that the right financial controls are in place to try to reduce corruption, I welcome that. However, to date, there has been no evidence that the Prime Minister has publicly stated his concerns about that. Given his close interest in the country, that is perhaps a little surprising. I am not being adversarial or party political, I just think that the Under-Secretary of State for International Development, the hon. Member for Lincoln (Gillian Merron) should take this opportunity to put the Government's position on that on the record—from the Prime Minister downwards.

A few weeks ago, in May this year, the European Commission warned that corruption and excessive bureaucracy were still problems facing Mozambique. On corruption in Mozambique, the World Bank said:

> "The harmful effects on corruption are especially severe on the poor".

Oxfam said that corruption

> "diverts public money to rich elites; raids resources for poverty reduction; and distorts the economy - with the biggest impact felt by the poorest people"—

because—

> "poor people bear the brunt of petty forms of corruption, having to pay a greater share of their income in bribes than rich people do".

Today, I shall focus not on the wider issue of corruption, but on police corruption in Mozambique. In particular, I shall consider the Amnesty International report on the Mozambique police entitled "Licence to Kill". In that report Amnesty International identifies a

> "systematic pattern of human rights violations by the police and police impunity".

It goes on to say that

> "the use of torture and other cruel, degrading and inhuman treatment or punishment"

can be seen in various parts of the country when the police come into contact with local people. The range of human rights abuses includes torture, extortion, beatings, taking bribes, violent interrogations, punishment without trial and the unlawful use of weapons. There is also evidence of police death squads, which I will come to.

I recognise that the Minister for the Interior in Mozambique and the Ministry generally have introduced some modernisation programmes, but they seem to be slow to reform the police or to bring about greater accountability. Those reforms and the transparency of the police need to be speeded up and made a high priority by the President of Mozambique.

I should like to put on record my thanks to the Government of Spain, who have over many years provided a great deal of funding to Mozambique—it ceased two or three years ago—specifically for police reform and to help to establish the police academy for officers. They need to be recognised and acknowledged for that. I hope that Spain, with the United Kingdom and other European Union partners, recognise that there is a problem in Mozambique. For the record, I am not talking about every police station or every police officer, but the problem is widespread enough for the Government to take action and to discuss the issue directly with the Government of Mozambique. It would be a helpful step forward if EU partners, the UK and Spain were to extend the funding for the police academy, and if DFID funding were linked to police and wider penal reform.

The Amnesty report also mentions the lack of mechanisms for internal police discipline, which needs to be addressed, and that there is an inadequate chain of command. Certainly, to date, we have seen inadequate leadership. The international community, through the report and this debate, the media and non-governmental organisations are reporting more on Mozambique, so there needs to be strong leadership of the police and the Ministry of the Interior, and an end to police impunity.

[Mark Pritchard]

I should like to mention particularly the case of Abrantes Afonso Penicela, about whom the Minister will doubtless have been briefed. He was abducted by the police, given a toxic injection, beaten, shot in the back of the neck, doused with petrol, set alight and left for dead. Miraculously, he was able to crawl away from the scene—sadly, he was half dead—make a call and get to hospital. He gave testimony and evidence to his relatives and the police about who was involved. Sadly, he died later that day. That brutal, savage and murderous act by police officers, whom Mr. Penicela named, has still not been investigated fully or conclusively. More importantly, no police officers have been arrested or charged, and there is no sign that they will be. I speak today for the justice that is required by the late Mr. Penicela, his family, Mozambique's constitution and laws and, indeed, by international norms as we know them.

In the brief time available I should also like to mention the Costa do Sol case. On the evening of 4 April 2007, three police officers took three detainees—Sousa Carlos Cossa, Mustafa Assane Momerie and Francisco Nhantumbo—from a police station in Laulane, Maputo, to a sports field in the Costa do Sol neighbourhood, outside Maputo, where they shot and killed them. The officers say that they were shot while trying to escape, but an inquiry by the Mozambique procurator general revealed a different story entirely. An autopsy concluded that the three had been shot in the back of the neck at close range. In the words of the procurator general, they had been "summarily executed" by the police.

The autopsy findings were incompatible with the events described by the accused police but, despite an arrest warrant being issued by the office of the procurator of Maputo city, and discussions with the commander general of the police, it took quite a while before the police officers were arrested. There was much to-ing and fro-ing. They were originally arrested, but then other police officers released them. They were finally re-arrested, but to date they have not been brought before the courts. In the interests of justice and the rights of the families involved, a date should be set as quickly as possible to bring the police officers before the courts.

In the Costa do Sol case, the police alleged that they were simply—

Miss Anne Begg (in the Chair): Order. According to my notes, we are debating the UK's aid programme in Mozambique. Unless the hon. Gentleman can link his comments with that topic, I am afraid that he has strayed quite far from the debate's remit.

Mark Pritchard: I am grateful for your advice, Miss Begg, and can assure you that my comments are very much linked to DFID funding. If you will bear with me a little longer, I am sure that the picture will become clearer.

It is important that justice be heard in this place and, indeed, in Mozambique, for the victims of such savage crimes. In that case, the police suggested that they were acting under orders. Who gave those orders? They cannot hide behind that excuse.

My concern about DFID funding to Mozambique is that the country might well be regressing to disorder in some places if it fails to deal with important issues such as those I have outlined. As the continent of Africa's image and international reputation improve—certainly in the most part—it would be embarrassing for the President of Mozambique if his country was to be one of the few sub-Saharan countries to let down the continent. I speak as a member of the executive of the all-party group on Africa, and as a friend of Africa and Mozambique. It is noteworthy that on 23 May this year, two of Mozambique's programme aid partners—Sweden and Switzerland—reduced their aid because of fears of corruption in the governance of the country.

On replacing former President Chissano, President Guebuza promised to fight corruption, bureaucracy and poverty, but that promise is lacking delivery. With Mozambique's legacy of landmines and amputees, it would be historically embarrassing if the legacy of the current Administration was one of turning a blind eye to injustice and the plight of the poor. The Mozambique Government should be given a mutually agreed deadline by which police and penal reform should be implemented, and corrupt police officers arrested, charged and brought before the courts, and, if convicted, forced to serve full sentences as appropriate. People who have been imprisoned unlawfully should also be released immediately—today, in June 2008. I also believe that independent police oversight and human rights performance monitoring mechanisms need to be put in place.

Individuals or families affected by the actions of corrupt police officers and community police councils should be given reparation and compensation for their personal and financial losses and hardship. If that does not happen, DFID's contribution to the country should be reviewed. The President needs to challenge the commander general, the procurator general and the Minister for the Interior to do their jobs and to bring those murderers and corrupt police officers to book. Do the British Government want to continue to walk by on the other side and allow British taxpayers' money, through DFID, to fund a regime that allows death squads—as, indeed, has been admitted by someone in that very Administration—to roam the streets of Maputo and rural areas and, with impunity in many cases, murder, injure and disable people?

I support DFID's funding programme in Mozambique, but I should like it to be linked to performance criteria to reduce corruption in the parts of the Administration where it occurs and, most notably, as was set out in the Amnesty International report, in the police. Justice must be done, and the British taxpayer demands justice for every pound spent in Mozambique. If the Mozambique Government will not act, I suggest that the British Government should take a note from the Swiss book and perhaps review their current level of funding.

David Simpson (Upper Bann) (DUP): I congratulate the hon. Gentleman on obtaining the debate. Does he agree that far too often decisions on aid are made on the spur of the moment? Surely, by fulfilling our obligations on Mozambique, we can prepare the way for a swifter and more comprehensive approach when, for example, Zimbabwe's time comes, as it inevitably will.

Mark Pritchard: The hon. Gentleman always makes helpful and pertinent interventions, and lives up to his reputation. I completely agree; justice can be done in this case and, as he mentioned, I hope that the Minister will say that DFID funding needs to be linked to the reforms that I have suggested.

12.46 pm

The Parliamentary Under-Secretary of State for International Development (Gillian Merron): I congratulate the hon. Member for The Wrekin (Mark Pritchard) on securing this timely debate. Perhaps I may immediately reassure him about UK Government action with respect to all the concerns that he has set out, by saying that our job is to support the poor people of Mozambique. I am sure that he will join me in that view. I have just returned from Mozambique where I attended the annual meetings of the African Development Bank, visited communities where UK assistance is making a difference and met the DFID team to discuss future strategy and the focus of the UK's aid programme.

Mozambique, as we have heard, is a country that has made great strides, but it still faces multiple challenges. Since peace in 1992 the country and its people, with our assistance and the assistance of others, have been meeting those challenges. The country is often rightly described as something of a development success story of post-conflict reconciliation and reconstruction. There has been real progress, to which the UK aid programme has contributed. Before I address the important issues raised by the Amnesty International report and the particular concerns about corruption I want to say a few words about where the UK Government, through DFID, have already made a difference in Mozambique, and to give a sense of our future direction. I want to do that because those factors have a positive impact on the realisation of human rights, the tackling of corruption and the promotion of good governance.

Basic services are the focus of DFID's work in Mozambique, because our job is to bring about real improvements in the lives of the poor and to be completely focused on that. As to education, our programme has contributed to getting an extra 270,000 children into primary school. UK development assistance on health has enabled the Mozambique Government to meet their 2007 target of an extra 35,000 women giving birth in a clinic, and ensured that more than six out of 10 children under the age of one were fully immunised against the five priority vaccine-preventable diseases: diphtheria, polio, tetanus, whooping cough and measles.

On HIV and AIDS, in a country where the infection rate is estimated to have reached about 16 per cent. of the adult population, DFID has worked with the Government and other donors to reach the Government's target of about 79,000 adults receiving antiretroviral treatment and more than 6,000 children receiving paediatric treatment. I am glad that yesterday, at the launch of the UK Government's updated strategy on achieving universal access, the representative of the Government of Mozambique welcomed that, and saw the real difference that UK plans and action will make to the people of Mozambique.

To me, the changes are about improving vulnerable and excluded people's chances to claim their rights, but it is true that those changes alone are not enough to encourage a robust and accountable Government. To address that, we are actively supporting civil society, with a focus on people's rights, and have funded an anti-corruption watchdog, the Centre for Public Integrity. Through that support, we are generating a demand among the people of Mozambique for greater Government accountability and effectiveness.

Of course, there is so much more to do. Mozambique ranks only 172nd out of 177 on the human development index, which measures well-being based on economic, social and health issues. The Government predict that by 2010, 2 million people in Mozambique will be living with HIV and 300,000 children will still not be in school. Those challenges and others are the reason that our aid programme will rise from £60 million in 2007 to £70 million in 2010-11, and that our core approach is based on improving service delivery.

Mark Pritchard: Will that rather large increase be a cheque given to the Mozambique Government without strings attached, or will it be conditional on certain reforms to address some of the issues that I have touched on?

Gillian Merron: As I continue, I shall assure the hon. Gentleman of the stringent measures in place. I hope that he will take comfort from that.

The Mozambique Government have correctly ambitious plans in respect of health, education, HIV and social protection. We need to support the Government in delivering them, but with a much stronger emphasis on accountability. Of course, as Mozambique is a country vulnerable to natural disasters such as floods, droughts and cyclones, which damage property and livelihoods and increase disease, we will increase our work on tackling climate change.

Our focus is on achieving results for the people of Mozambique, whether that involves access to clean water and decent health care or the opportunity to go to school, be safe and access decent work. DFID Mozambique has clear measures of success, using the targets for 2009 taken from the Mozambique Government's own poverty reduction strategy.

It is appropriate at this point to refer to the points raised by the hon. Gentleman about corruption. Indicators of corruption are included in the performance framework for budget support, and constant dialogue about them takes place in which all 19 budget support donors engage. We have a particular approach in Mozambique, which I am happy to outline and hope will be of interest to the hon. Gentleman.

DFID's national corruption strategy has four aspects. The first is supporting the Government of Mozambique in their reform programmes, which aim to narrow the opportunities for corruption. For example, we are supporting the introduction of a new electronic public expenditure management system, which will reduce opportunities for embezzlement and theft. Secondly, as I have mentioned, we are supporting the demand side of good governance and anti-corruption efforts by supporting the people of Mozambique in claiming their rights and having a voice. Thirdly, anti-corruption plans are being introduced at the sector level as a key strand of our programme. Our focus is on health, where there is evidence of the highest level of political commitment. Finally, we are supporting initiatives called mega-project deals to improve transparency in relation to minerals and revenue flows. In 2007, we worked on new mining

[Gillian Merron]

and petroleum fiscal laws, and we are now considering how to improve transparency on new investments in the energy sector.

It is important to put on record that there have been some positive steps recently. That is the evidence that the hon. Gentleman asked for. For example, a new computerised expenditure management system has been introduced, as well as a new public procurement law and a census of public-sector workers, all of which will help ensure that Government money is used effectively. It is the poor people in Mozambique who cannot wait for progress. Therefore, we will continue to support them through the aid programme while using every appropriate safeguard, as I have already described.

The hon. Gentleman rightly and understandably expressed his concern about human rights. The UK Government share the concerns outlined in the Amnesty International report about the lack of police accountability. It is unacceptable for the police to commit human rights violations. When they take place, it is also unacceptable for them not to be investigated and for the perpetrators not to be brought to justice. Following the report that was recently issued, officials from DFID and the high commission in Mozambique, who work very closely together, met with Amnesty International to discuss their findings. We will continue to work with Amnesty.

We and our EU partners are having a robust dialogue with the Mozambique Government about progress on human rights. We will demand to see the recommendations of the Amnesty International report put into action. Our UK high commissioner, Andrew Soper, has requested a meeting with the Minister of the Interior to discuss the report. The matter will also be raised at the forthcoming meeting between EU ambassadors and the Foreign Minister.

Despite reports that the human rights situation in Mozambique is worsening, there have been positive developments and it is important to put them on record. For example, the number of prisoners being held without trial has been falling consistently. The 2005 family law made important strides towards equality for women, especially in the ownership of domestic assets. We were also glad to see the introduction of a Bill against human trafficking, which was recently passed in the Parliament of Mozambique after a concerted campaign by international and local non-governmental organisations, and supported by donors. Such a move is evidence that, by working with others, it is possible to shift Government approaches to the critical aspects of human rights. Within the dialogue and the performance-monitoring machinery of budget support, the human rights focus is very much on access to justice, including access to legal aid and faster processing of court cases.

Improvements were seen in 2007 with a 24 per cent. increase in the productivity of the courts.

Mark Pritchard: Will the Minister put on record whether she thinks that the principle of compensation and reparations for the victims of police officers and for the families of those people who have been murdered should be enshrined in law and should be something that the President himself is involved in to ensure that the families do not continue to suffer through the loss of income from those whom they have lost?

Gillian Merron: I have already set out very clearly what is and what is not acceptable. I want to focus on getting the Government of Mozambique to take on the recommendations of the Amnesty International report. Aside from that report, however, we are pressing for progress in a number of areas in the near future. Reform of the penal code, which dates from the 18th century, is crucial and needs to be harmonised with new laws and international conventions, which have been ratified by Mozambique's Parliament.

There needs to be greater protection for women and children under the law—including the introduction of a new law on domestic violence—and the promotion of their rights, as well as the establishment of a human rights commission. The Mozambique Government and Parliament have already started to discuss those issues and we look forward to progress soon. We will continue to assist them.

The UK remains committed to this agenda and will focus on four priority areas: child rights, in particular child trafficking; political freedom; police accountability; and improving human rights awareness in the management of prisons. We recognise that even stronger mechanisms of accountability are important to maintain a commitment to reduce corruption, provide responsive public services and ultimately reduce poverty and bring fairness in a country that is on track to meet the majority of the millennium development goals. With the continued support of the UK aid programme, we will work to make that achievement possible.

Food Security

12.59 pm

Mr. David Drew (Stroud) (Lab/Co-op): I am delighted to introduce the debate at this time. I wish that my thinking about the issue at the same time as the Food and Agriculture Organisation meeting takes place in Rome were more than a coincidence, but these things sometimes conspire for all the best purposes. At least the presence of Mugabe has given the meeting some added piquancy, although I would like to have thought that the presence of my right hon. Friend the Secretary of State for International Development and another friend, the Chairman of the Select Committee on Environment, Food and Rural Affairs, the right hon. Member for Fylde (Mr. Jack), would have been enough to generate some interest in it.

Food and food politics are highly contentious issues at the moment. We all know that recent price increases have raised the issue to a new height of awareness, and I wish mainly to talk about the UK scene, although I shall finish by saying a few things about the international scene. I am well aware of what the Under-Secretary of State for Environment, Food and Rural Affairs, my hon. Friend the Member for Chatham and Aylesford (Jonathan Shaw), speaks on, and I wish to keep the debate mainly in the domestic context.

It is quite difficult to define food policy, let alone food policy security, but I am clear that we have a problem in this country and in the western world, and I want to highlight some things that we ought to take account of. As always with these debates, I can raise the issues, but I hope that the Minister will respond with some answers about the Government's thinking.

There is obviously a question from the outset, because it is difficult to identify which Department and which Minister will take responsibility for the issue. My hon. Friend is in the Chamber to answer today, and in the true sense of joined-up government, I hope that he will talk to other Ministers about it, because the Food Standards Agency reports to the Department of Health, the Cabinet Office is spending a great deal of time on the issue of food co-ordination, and other Departments—such as the Department for Business, Enterprise and Regulatory Reform and the Department for Children, Schools and Families—are involved with the issues about what we feed our children in schools. A panoply of Ministries take partial responsibility for the matter.

I am going to cheat and not come up with my own definition of food security, because it has been very well done in the recent Cabinet Office paper, to which I shall give some publicity, because it is very good at trying to settle the old differences and delineate how to take the new strategy forward. The Cabinet Office says:

> "The term 'food security' is used in different ways but it is essentially a matter of identifying, assessing and managing risks in food supply."

It continues:

> "The multiple dimensions and interpretations of 'food security' can hinder any discussion."

It then looks at the six key criteria by which food security should be measured. They are: availability, which is to do with production, supply and so on; access—to do with affordability and physical accessibility; affordability in its own right—to do with what households can and cannot afford; safety—to do with what we eat and feeling secure in the knowledge that what we eat will not poison us or do long-term damage to our bodies; resilience, as the food chain has to be capable of being protected and supported; and finally, confidence, as there must be public confidence in all those issues, so that people feel that they can purchase the food.

There is so much that I could say in the debate, but I shall keep to the main bones of my contention, whereby I hope that the Government are moving towards a proper food policy based on addressing the current problems of where we get our food from and how it can be supplied at a reasonable price. We all know that people are becoming increasingly aware of the issue globally, but we have seen rising food prices over the past few months in this country. Questions are being asked of the Prime Minister, the Chancellor of the Exchequer and the Department for Environment, Food and Rural Affairs as to how we can perhaps forestall some of the increases or at least put them in the context of how we can make progress. The price rises vary enormously.

I will go on the record about this. I have said it before; it is not something that I mind being reported. I always saw the dangers of a cheap food policy. We became pretty complacent, believing that food prices would always stay low. We were not asking enough questions about where that food was coming from and we certainly never foresaw what might happen on the world stage. We did not foresee what could happen if we suddenly moved away from a cheap food policy and began to realise that that was not ordained from above; it was something that we had to make work and happen. Supply had to be put in place and we had to look at who was demanding it and why.

We have seen prices going up. Bread and cereals are up 8.5 per cent. and milk and cheese are up 15.7 per cent. Those are dramatic increases. I have never been one who takes a cheap food policy for granted, because it has been my belief that suppliers in this country have had something of a raw deal. I could argue as to why they have had a raw deal, but at least now some of those suppliers may begin to get appropriate rewards, which could change our food provision for the better. However, there are other aspects to the issue that are increasingly worrying.

We have seen self-sufficiency decline. It has not declined dramatically, but it has declined, and I think that we need to consider whether there should be a requirement for a minimum proportion of our food to be supplied from within this country, because of the dangers of relying on imports. Also, I feel strongly that this is not just about a national policy but about local food chains, which I very much support.

The other aspect is rising fuel prices. That issue takes two forms. People are paying more to move food around. I am referring to food miles—the Tim Lang phrase that is now in common parlance. More particularly, one of the reasons why food prices are rising is that we have chosen to turn land over to biofuel. I personally think that that is completely explicable and I strongly support it. I know that there is a debate on the issue later in the week—the Minister may respond to it, too—but I am worried by the exaggeration that takes place. Everyone said, "This is a jolly good thing because we are moving away from our dependency on petrol and diesel," so we

[Mr. David Drew]

move to another product and then there is a huge row. People say, "This is terrible. We should stop it immediately. It is a completely inappropriate use of our land space." I do not go along with that. I think that there is a role for biofuels. We need to find other ways in which we can move vehicles about but, again, anyone who thinks that that is the answer per se will be sadly disillusioned.

The other aspect of food coming from abroad that worries me, as the Minister will know because I have asked him about it and there have been various DEFRA investigations, is the threat of animal disease. I have felt for a long time that we underestimate that. We could be seen to be obsessed with terrorism. One aspect of that could always be the threat of animal disease being deliberately put into our food supply, but more particularly, we are talking about accidents of fate. This country has had foot and mouth and we are threatened currently by avian influenza and bluetongue. It costs huge amounts of money to deal with such matters. I am proud that the Department has strategies in place and we are working incredibly hard but, again, we ignore those threats at our peril. That issue must be part of how we deal with security and evolve a proper food policy.

One of the criteria must be food safety. Of course, that is linked to animal disease. It involves what we eat and who supplies it. However, there is a more general issue to do with safety. If we take the widest definition of that, we are talking not just about what is safe to eat, but how much people eat. The obesity debate—the obesity epidemic, some people would say—is part and parcel of the debate about where we supply, what we supply and how much we supply.

This issue is topical. The Chancellor wrote to Dr. Andrej Bajuk, the Minister of Finance in the Slovenian Government. He did that because Slovenia will shortly take on the EU presidency; indeed, it has already taken it on because it is 1 June—*[Interruption.]* It is finishing off its presidency—I thank the Minister for reminding me of that. I have not yet had the opportunity to visit Slovenia, so it is a bit distant to me. However, I congratulate the Chancellor on sending that letter, which at least raised the question of how the common agricultural policy relates to the issues before us.

As a dyed-in-the-wool sceptic, I feel strongly that we are, yet again, not asking the pertinent questions about the common agricultural policy. I know that these recent developments have upset the National Farmers Union because they look as though they will lead to more instability. We must, however, ask whether we have the appropriate policy in place at this time of rising fuel and food prices to provide most of Europe's food, and I would say that we have not. The Chancellor is therefore to be congratulated on at least opening up a debate on the issue. We have, of course, chosen to subsidise food, and I have no problem with that, but I do have a problem with the way in which we subsidise it in the EU. We need to look carefully at whether there are better policies and mechanisms and at whether those that we do have are appropriate as we go forward in this century. At the very least, the jury is out on that.

Let me put food security in the context of wider food policy. As I said, we do not have a lead Department on the issue in this country, although food is one of the three points of delivery for Department for Environment, Food and Rural Affairs. As I said, however, the responsibilities of other Departments abut food policy, and we need some clarity about where food security fits in our wider food policy. I hope that the Minister can at least begin to provide that.

I want to move on to a couple of final points about where we are going in terms of food. We have more choice than we have ever had, although that choice will perhaps become a bit more limited as food prices rise and people eat out less often. However, there are also issues such as obesity and the changing nature of food. Clearly, there is the debate on genetically modified food, and the Government are right to have been incredibly hesitant in their approach to GM, although I would like them to be even more hesitant because I do not agree with GM, which is the wrong way to go. However, GM does not represent the totality of the way in which food is provided. We now live in the era of functional foods, some of which can be incredibly important to people with health-related problems, who can, in effect, eat to overcome those problems. However, I am somewhat worried about other aspects of functional foods and about what is being supplied to whom. Such issues matter in terms of security, because there is only so much food that we can produce.

On the world context, I am not going to second-guess what comes out of the Rome conference. It is important that the conference is seen as a significant staging post in terms of how we look at what food is available. It is extremely good that food supplies have risen more quickly than population. However, there is the problem of climate change, and there have been conflicts in places in Sudan that I know very well, as well as in Bangladesh. Is that a sign of things to come? Much though I am talking about the national need to highlight food security within a wider food policy, the international context must be writ large. If there is a lack of food and an ongoing population increase, the relationship between food supply and demand will increasingly become one of disequilibrium, and that will have a huge impact on us. We have been rather complacent in believing that food will be available to us and that it will be cheap and plentiful, because what happens elsewhere in the world—either in the developed or developing world—has huge ramifications for us.

Will the Minister examine the issues that I have raised? This is part of an ongoing debate and the matter is worthy of further examination in an international context when Ministers and others return from Rome. It is about time that we in this country spelled out what our worries are and the need to highlight food security. As I said throughout the debate, we should say where that fits into the wider food policy debate, which is as close to our basic integrity as human beings as we can get.

1.15 pm

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Jonathan Shaw): I congratulate my hon. Friend the Member for Stroud (Mr. Drew) on his impeccable timing—he rightly referred to the high-level summit that is taking place in Rome over the next couple of days. We await the summit's conclusions with anticipation. The Government believe that the international response to the food price situation must be ambitious and comprehensive and that it should address the short-term, long-term and underlying causes. I hope to reflect those things in my speech.

We take food security extremely seriously. The UK enjoys a high level of food security: we have access to enough quality and nutritious food from the UK and from the range of countries with which we trade. In addition, recent CAP reforms mean that European farmers are much better able to respond to market signals. However, there are increasing pressures on land use arising from climate change, the need to feed a growing global population with changing consumption patterns, and competition from other uses such as biofuel production, which my hon. Friend mentioned—his remarks were considered and appropriate.

We are not complacent. The recent increase in food prices has put the spotlight on some of the challenges that we face both in the UK and overseas. High food prices have been caused by a combination of supply and demand factors—some temporary, some structural. For example, poor harvests resulting from bad weather, particularly in Australia, and low stocks account partly for the increases. Other factors include the steep increase in the price of oil, and increased demand from China and other rapidly growing countries. Much of the Chinese population used to have a very basic diet, but now, like us, they seek more luxury items, because they have developed a middle class. We have enjoyed the fruits of that growing economy through cheap goods, but it means—for us and the rest of the world—more pressure on our resources, including food.

We recognise the effect of high global food prices for consumers around the world, but the developing world feels the impact most. As my hon. Friend said, that is important, which is why the Prime Minister wrote to the Japanese Prime Minister, who chaired a G8 food summit on 22 April. We need a coherent and holistic response from the international community. Helping the worst affected is an immediate challenge. Food is becoming increasingly unaffordable for, and inaccessible to, poor households around the world and the humanitarian agencies that provide food aid. Every day, 25,000 children die because they do not have enough to eat.

Food prices are expected to fall from their current peak, but they are likely to remain above recent levels in the medium term, so we need to tackle the underlying causes and long-term challenges of poverty and hunger facing 850 million people on our planet. We agree with the World Bank that there is enough food in the world to meet demand, but there are clearly problems with distribution—there is not enough food in the right place—and affordability.

We must also prepare for the impact of climate change on agricultural markets and the livelihoods of the poor. Any response to the current situation must be environmentally sustainable in the medium and long term. We must not jeopardise the long-term availability of our natural resources or exacerbate the climatic changes that already threaten food production in the world's poorest and most vulnerable nations. For example, harmful land use changes, particularly deforestation, contribute to climate change.

Although rising food prices are a global problem, we are conscious that UK consumers have been seriously affected too. However, the increase in commodity prices is already stimulating an increase in agricultural production around the world, which is a good thing. British farming is responding to market signals, resulting in a fall in prices on agricultural futures markets in the expectation of higher volumes. That means that the rate of food price inflation, currently 6.6 per cent., is likely to fall again in the near future. My hon. Friend said that he did not want to upset the National Farmers Union by referring to CAP reform. I have not found that the NFU is upset when we discuss CAP reform. It is always eager to engage in constructive dialogue on the matter.

The latest UK household food expenditure figures—for 2007—show that the impact of the rise in food prices on the amount that households spend on food is still relatively minor compared to the long-term downward trend. The proportion of average household expenditure on food was 9.2 per cent. in 2007. That is still 1.5 percentage points below the level 10 years ago, which was 10.7 per cent. If current commodity prices are maintained throughout 2008, we might expect the proportion of expenditure in 2008 to rise to around 9.5 per cent., the level in 2001.

We recognise that low-income households spend a greater proportion of their household income on food. The lowest quintile spend 15 per cent. We also recognise that rising energy and fuel prices are putting pressure on consumers. My hon. Friend asked where food security and the issue of food sit, and referred to the Department for Children, Schools and Families. Food is a cross-Government issue; for example, many Departments have been involved with the year of food and farming.

I was at a farm earlier this week meeting children who were seeing livestock to understand where food comes from. It is pertinent to the global debate about food production and consumption and vital that the generation of our children now in school grow up understanding and valuing food, not just so that they eat healthily—another cross-Government issue—but so that they do not waste food. We waste around £10 billion-worth of food every year. What would my hon. Friend do if he had a phone call from the Chancellor saying, "We've stopped wasting all the food and we've got £10 billion to spend"? It would all go to Stroud, of course—that is what my hon. Friend would do.

Those are important aspects of the debate. We are engaging actively with consumer representatives to explore what further can be done for low-income consumers, who are particularly affected by increasing food prices. As a Minister, I hosted such a meeting earlier this month. The Government are considering their response to the recent Competition Commission investigation into the groceries market, referred to it by the Office of Fair Trading, which was mentioned by my hon. Friend.

We will continue to investigate allegations of price fixing. The investigation into milk prices found signs of collusion between certain major supermarkets and dairy producers, which led to fines of more than £116 million. We take the matter seriously. In the longer term, we need an open global trading system, and an end to trade-distorting subsidies and export restrictions.

As for reform of the common agricultural policy, we do not want subsidies for food production. We want subsidies or public money being used for the public good. That is why we have seen an increase in the rural development programme for England. That is the future for public subsidy, not production. We are not alone in that view among member states. As a member of the

[Jonathan Shaw]

Select Committee, my hon. Friend will be only too well aware that the debate divides member states, but I believe that we are in the ascendancy; the Commission has planted its flag on future reform.

My hon. Friend raised a number of questions. He is concerned about animal disease coming into the country. People bring in food that they should not, and it gets into the waste chain; that is a serious concern, and we are taking action. My hon. Friend mentioned bluetongue and the purchase of vaccinations. There is a model partnership between Government and industry, with a core group making the important decision to purchase the vaccine. It will be done on a voluntary basis, because that is what the industry wants. My hon. Friend said that he wanted to focus on the domestic agenda, but his remarks and mine show only too clearly that in today's world we cannot operate food security in isolation.

We have an abundance of different types of food. My hon. Friend mentioned local produce and local purchasing. There are more farmers markets, and people are now far more discerning and enjoy a better quality of food. However, in contrast, we are also eating more unhealthily; we have that juxtaposition within society. The Government, through the Department of Health, the Department for Children, Schools and Families, the Department for Environment, Food and Rural Affairs and even the Cabinet Office—my hon. Friend mentioned its recent publication—seek to inform, to educate and to promote better food, better consumption and less waste.

Against all that, one thing is clear. Farming and food production matter. We want a flexible, skilled and market-oriented domestic agricultural sector that makes a positive contribution to our environment. Our farming industry has much to be proud of when it comes to the environment. We are now celebrating 21 years of agri-environmental projects. On open farm Sunday last weekend, a farmer showed me that the margins he had created were producing ladybirds that in turn were eating the aphids; as a result, he did not have to use so many pesticides. It is cheaper for him and better for the environment. We want to champion British food. We want the skills and innovation, the investment and branding, and the quality assurance of the farming industry rather than a policy that simply maximises domestic self-sufficiency.

Post Office Closures (East Devon)

1.29 pm

Mr. Hugo Swire (East Devon) (Con): I am glad to have secured this debate on threatened post office closures in my constituency of East Devon. Time is fast running out and many important factors have still not been taken into account.

The local post office is a key service in an area such as east Devon, which is a rural district with a higher than average proportion of older people and pockets of deprivation. The countryside, whose essential services have gradually been systematically and unfairly decimated by the Labour Government, has suffered cuts that are often felt far more keenly than in urban areas and it is now about to see the post office network pared down once again.

Post offices provide important social and economic benefits to isolated communities across the country; they support vulnerable residents and serve as a focal point for numerous communities in urban and rural areas alike. In many sparsely populated parts of my constituency there is a greater need for local post office services. However, despite that, under the Government 4,000 post offices have already been closed and another 2,500 are to shut, with the East Devon constituency alone being threatened with the loss of another four. In fact, despite assurances both now and in 2007 on maintaining the network size, there is neither a policy in place to prevent the further shrinkage of the network, nor is the Government's commitment shared by Post Office Ltd, which does not believe that

> "it is possible or desirable to set a minimum number of fixed outlets".

Why is that? I invite the Minister to restate the Government's policy.

It seems to many of us that the countryside is under sustained attack. Our rural communities, which should be supported, are declining rapidly, neighbourhoods have already lost vital amenities such as general practitioners' surgeries, jobcentres, magistrates courts, shops and schools, and now post offices are being added to that ever-expanding list. Rural services provide the glue that holds local rural communities together. In that respect, they play a far more significant social role than in towns and cities.

The decline of rural services has been exacerbated by continuing inequalities of funding. Statistics reveal that, since 1997, councils in London receive twice as much per head as their rural counterparts, with a country dweller receiving 57 per cent. of the money spent on the average Londoner. Why? Rural post offices give valuable human contact and informal support for those who are socially isolated or vulnerable. Two thirds of postmasters in rural areas each keep an eye on between one and 30 people by helping them with forms and official papers, as well as inquiring about their health if they do not make their normal visit to the post office. Does the Minister concede that this is an important but immeasurable benefit?

In 2000, the Government made a clear and continuing commitment to rural-proof their policies and programmes, yet the Commission for Rural Communities has repeatedly reported that it is disappointed in the overall performance of Departments in meeting that commitment. Stuart

Burgess, the Prime Minister's own so-called rural advocate, has warned that poorer people in the countryside

> "form a forgotten city of disadvantage".

If the Prime Minister is genuinely listening to what the people want rather than indulging in a cynical public relations stunt, will the Minister raise with him that particular point?

Although the Government pay lip service to green credentials, the post office closure programme does not consider the wider environmental impacts on rural areas resulting from increased car use and car dependency. Much of the increased travel that will result from closures can be expected to require use of a private car, given the infrequency or lack of rural bus services in some areas. That will increase carbon dioxide emissions and further reduce rural tranquillity.

Rural needs are not being consistently addressed through policy making. The countryside is facing many challenges that are not being taken into account. According to research carried out for the Commission for Rural Communities, the loss of 2,500 post office branches could entail the loss of between 560 and 900 village shops. However, since the access criteria reflect only post office provision and not the presence or otherwise of other local services in rural communities, the proposals are having the perverse effect of forcing the closure of the only local service centre or hub of the community in a locality, to enable a post office in another "nearby" location to be more viable.

The loss of the last remaining service hub in a village would be a critical threat to social interaction and the informal social support it can generate. That argues for more sensible and more sensitive criteria so that other services in the area—a village store, a petrol station with retail, a pub and so forth—are taken into consideration in any closure decision, alongside the proposed stricter distance criteria. The Government criteria have given specific protection to post offices in urban deprived areas, but they neglected to introduce a similar provision for rural deprived areas. Why? The Government must recognise that in some rural areas deprivation is just as acute and they should, therefore, reassess the need for rural deprivation criteria.

It is imperative to stress how important it is for local consultation to take full account of the needs of rural communities, if any restructuring process is to have legitimacy or prove successful. Rural areas receive a significantly lower level of per capita public investment than urban areas, even before the additional disadvantage of rural population scarcity is factored in. The way in which the closure programme is being implemented is unfortunate, because communities are being pitted against each other in a dog-eat-dog style as they are forced to work to save only their own post office. It is also wrong that the consultation period is six weeks rather than three months, as recommended by the Cabinet Office guidelines. The time allowed for local consultation is insufficient, and does not permit due consideration of those who rely on post offices. The proposed closures will serve only further to fracture community structures and make life increasingly difficult for older people and the most vulnerable.

It is hard to disagree that post offices often provide the focal point for a local community, particularly in rural villages, and perhaps that is no more the case than with a post office in my constituency threatened with closure. The post office in Offwell, which I had the pleasure of opening four years ago, is a perfect example of community cohesion. In December 2002, it was discovered that the local post office was to close and it was recognised that there was a community need for a post office. This prompted the formation of a local rural services association which, with the aid of local fundraising and grants of £28,000 secured, set up a combined post office and shop in a temporary building on the village recreation ground.

Four years ago, Post Office Ltd helped the village with guidance and grants to open its post office. Presumably, it was thought a viable business venture at the time, yet after four years of successful trading the company now considers it suitable for closure. Why? From the outset, the need for good free parking and disabled access to the shop was recognised, which has proved very popular, and the large farming community that uses the service can actually park tractors on the doorstep. A community-led and sustained effort is now being threatened by the closure proposal, and it is not certain that the shop itself can survive without the added attraction of the post office. That could have an adverse effect on the local ageing population and on local suppliers, which would spell a tragic end for a venture that was supported by the Post Office authorities from the outset and one which surely should be encouraged given the visible and sustained community involvement.

That post office is an example of rural community life at its best and has been maintained through volunteers and fundraising. With the full backing of Post Office Ltd, in the four years since the post office opened, it has become a pivotal part of the village. The village put its heart and soul—not to mention a great amount of money—into the project and it has had the wholehearted support of not only Offwell, but many surrounding villages. The variety of products on offer in the shop has increased and it has been so successful that those involved want to move to a permanent building. The post office is a much needed lifeline for elderly local people, and is a proud achievement for the entire village. That achievement is now apparently in danger of being taken away from them.

The vast majority of residents who rely on the service are over 50. Many do not drive and are therefore reliant on the post office and village shop. Post Office Ltd has quoted the fact that, as the crow flies, Offwell post office is 2.9 miles from Honiton post office and states that its criteria are that anything under 3 miles can be closed. However, it has neglected to note that the post office serves not only Offwell but the surrounding villages of Northleigh, Southleigh, Farway, Wilmington and Cotleigh, which do not have retail facilities and are more than 3 miles away from the Honiton branch. Post Office Ltd is also arguing that Offwell receives fewer customers than Honiton. However, the Business, Enterprise and Regulatory Reform Committee stated in its recent report that

> "pure commercial logic cannot be the overriding factor here; the Post Office performs a social function".

It went on to conclude that

> "we believe that there should be a presumption against closing a Post Office where this is the last shop in the village or in a deprived urban area".

The post office is an important part of the local community and has been maintained through the hard

[Mr. Hugo Swire]

work and co-operation of individuals for the sake of everyone in the area. The Government are letting those people down and are undermining a well co-ordinated and important service. A clear erosion of village life is taking place. There is no disabled parking outside Honiton post office, so the nearest parking is 275 yards away and slightly uphill. A taxi fare to Honiton is £15.60 return. Therefore, the change will make life difficult for elderly and disabled residents. The route is a busy main road, which is certainly unsuitable for walking and dangerous to cross, and for many elderly people, walking 3 miles alone is simply not a viable option. Buses run through the village only four times a day and there is no direct bus service to Honiton post office. Paradoxically, if Offwell rural services association had bought or rented a plot on East Devon business park five years ago instead of having the post office beside the village hall, although it would have been much less convenient for the villagers, as it would have been more than 3 miles from Honiton post office, the Offwell post office would probably not be threatened with closure now.

The second post office in east Devon currently threatened with closure is Millwey Rise in Axminster. The post office serves the largest single housing estate in East Devon where there is a higher than average representation of those dependent on some kind of benefit—including those in receipt of state pensions. Millwey Rise also serves several local businesses at the nearby industrial park. In addition, there are plans for significant housing development in the area in the next 10 years. Axminster has been participating in the market and coastal towns initiative and a key issue is that it is one of the few towns in East Devon where expansion is possible and desired by the local community. It makes no logical sense to close down a post office in an area of proposed expansion.

Millwey Rise is a vibrant and growing sub-post office with a sub-postmaster whose entrepreneurial spirit has been recognised by East Devon district council, which has invested approximately £100,000 in the property. The council has also created a free car-parking facility and full disabled access from all directions into the shop, which already meets requirements for the disabled.

The post office and associated shop are the only retail outlets on the estate and the sub-postmaster has recently installed a free automated teller machine that has proved increasingly popular. All that has made an enormous difference for the elderly, disabled and vulnerable residents of the estate who would be unfairly disadvantaged by having to travel further. To reach the next available post office, pedestrians would have to negotiate a busy roundabout and, in places, steeply sloping ground. For those who are unable to use the bus service because of a disability, the cost of a taxi is currently £3.80 in each direction, which is a substantial sum for someone on a low income, such as a single state pension.

In Post Office Ltd's branch access report for the post office its opening times are incorrectly recorded. In reality, the main post office in Axminster closes earlier on Saturday and does not open as late during the week. If the Millwey Rise post office is lost there will be greater use of cars in the area and more congestion in the town, and businesses will have to transport mail to the sorting office, all at increased expense to them, in addition to the associated environmental costs.

The third post office in my constituency that is threatened with closure is the Greenway Lane post office in Budleigh Salterton. Budleigh Salterton has a higher than average proportion of people who are of retirement age and 58 per cent. of households contain pensioners. That is significantly higher than the sub-regional average. In addition to its usefulness to the large number of elderly residents in the area the Greenway Lane post office is vital to disabled people. Many constituents say that parking in Budleigh Salterton High street near the post office is often impossible even with a blue badge.

In a recent consultation by Help the Aged more than half of older people said that local post offices are essential to their way of life. Closure of post office branches has a big impact on the lives of the many older people who depend on the services they provide. Those on pensions and benefits are more likely to be financially excluded, and will tend to rely on post offices disproportionately, whether they live in an urban or rural area, yet they are the very people who will suffer most from the proposed closures.

The needs of the elderly and disadvantaged are felt just as keenly in the area surrounding St. Andrew's Road post office in Exmouth, the fourth post office threatened with closure. Exmouth, East Devon's largest town, has a higher proportion of people who are of retirement age and 38 per cent. of households are all-pensioner households. That is, again, above the sub-regional average. It is predicted that by 2021 the percentage of those aged 65 and over will increase by a further 20.9 per cent., and that the percentage of those aged between 70 and 74 will increase by 37.9 per cent. In addition, the town has two of the most deprived wards in Devon—Littleham and Town, where St. Andrew's road is located. They are in the upper quartile of social deprivation in the country, with 46.9 per cent. of households on an annual income of less than £20,000.

St. Andrew's Road post office has a loyal customer base who do not want that essential service to be taken away from them. Sixty-one per cent. of customers in deprived urban areas say that they use their local post office for access to free community services, and 36 per cent. meet friends there. The post office has convenient roadside parking nearby while there is no direct bus route to the proposed alternative, which is the main, busy post office in Exmouth. At a time of rising fuel costs it simply defies logic to force people to make longer journeys.

In Exmouth alone the Government have rationalised jobcentres, magistrates courts, police custody suites, sub-post offices and NHS dental services. Enough is enough. The Government claim to be aware of the rapidly ageing population; yet in an area such as East Devon where there is, as I have proved, a disproportionately large number of elderly people, it would appear that their interests and needs are being completely overlooked while their way of life is dismantled. We are told that the Government consider the environment. However, owing to the closure programme people in rural areas are being forced into their cars to travel further, because they cannot rely on often inadequate bus services to get to their closest post office. It is simply not enough to tell people where their alternative branch is. Real solutions need to be found to very real problems, and the Government need urgently to restate their commitment to the countryside.

1.49 pm

The Minister for Employment Relations and Postal Affairs (Mr. Pat McFadden): I congratulate the hon. Member for East Devon (Mr. Swire) on securing this debate on post office closures. There have of course been a fairly large number of such debates on that subject in Westminster Hall, and I appreciate that it is a difficult issue. I understand that there are 33 post offices in the hon. Gentleman's constituency, of which four, which he described, are scheduled for closure. He will know—but in case he does not, I shall reiterate—that as a Minister I play no role in decisions relating to individual post offices. The issues that he raised in detail are issues for the Post Office and Postwatch as they deliberate in consultation about how to implement the difficult decision to close some post office branches in the network, including in his constituency.

The reason for the programme goes back a couple of years to a consultation that began in 2006 and an announcement in May last year by the then Secretary of State for Trade and Industry that of the more than 14,000 branches open at the time, some 2,500 would have to close. Why was that decision made? I listened carefully to the hon. Gentleman, but he did not touch on any reasons why our Government might have reached such a difficult decision, so I shall lay them out for him. The post office network loses £500,000 every day that it is open. Those losses are not static; they have more or less doubled in the past few years. The network has lost 4 million customers a week. Again, that is not static but has been increasing.

Mr. Swire: Will the Minister not concede that if the Government withdraw services offered by post offices, it is quite likely that the amount of business that those post offices do will decline?

Mr. McFadden: I do not accept for a moment the charge that the Government have somehow created an evil use of the internet or pioneered direct debit. Those things were wanted by our constituents. I am sure that even in East Devon, people use the internet to pay bills and carry out transactions. They are not being forced to do so by the Government.

The hon. Gentleman mentioned pensioners. He is right that traditionally we have seen the post office as a venue for people to collect their pensions, but eight out of 10 pensioners no longer do so. Among new retirees, that figure is nine out of 10, and it is unlikely to reverse. I hope that he has a long and happy retirement, but I am not sure whether he will collect his pension every week at the local post office.

Other services, such as car tax online, did not even exist a few years ago. Car tax online is now used by 1 million people a month who previously would have gone to the post office to renew their car tax. It is a popular service. The question for Government is not whether to sit in the face of change and say, "We don't want to put any of these services online"; it is whether we are behind the curve of change, not ahead of it and driving it, as the hon. Gentleman implied in his intervention. In addition, the Post Office faces competition from new outlets. That is why it lost the contract for the BBC TV licence. The decision was taken not by Government but by the BBC.

Mr. Swire: If one takes what the Minister says to its logical conclusion, eventually there will be no need for a sub-post office network throughout the country. Does he therefore agree with Post Office Ltd, which

> "does not believe it is possible or desirable to set a minimum number of fixed outlets"?

Is that his view as well?

Mr. McFadden: The logic of my position is not that there should be no post office network at all. It is that in the face of lifestyle change, which affects how people pay bills and receive benefits; technology, which principally involves the internet and its effect on communication; and competition, it does not make sense to freeze the post office network for ever at its former size.

As Ministers, we must also have regard to the taxpayer and the large amount of public subsidy that goes to the post office network. The hon. Gentleman asked what the Government should do and what our attitude is to the network. To answer directly, our attitude is that we should subsidise the network to maintain it at a significantly higher level than would be the case if it operated purely commercially.

As I said, there were some 14,000 post offices before the closure programme started. If the post office network operated as a purely commercial network, that figure would be just 4,000. We do not believe that we can reduce the post office network to that size. That is why this Government—the first Government to do so—have subsidised the Post Office to such an extent. In fact, by 2011 we will have put between £3.5 billion and £4 billion into the post office network since we came into government. We have invested a significant level of public support because we believe that the post office has a social and community role. However, even with that large level of subsidy and in the face of lifestyle change, in which the whole country is taking part, we cannot keep the network at its current level. That is not just the view of the Government, but of the National Federation of SubPostmasters itself. At the beginning of the closure programme, the NFSP general secretary said that the closures were necessary to ensure the viability of the remaining network.

Mr. Swire: I fully agree with that statement. It is necessary to sustain and to encourage the viability of the remaining network. However, if the Minister was being more positive about the sub-post office network, he might allude to the new developments brought about by the technology to which he refers. They include the real growth in demand caused by internet shopping. The number of post offices providing front-line services for eBay—a place in which people can deposit their things—is growing. If the Minister would allow the Post Office to compete in such areas and to do what it wants to do, he might find that, lo and behold, he has rather a vibrant service on his hands.

Mr. McFadden: I agree that there are possibilities for the Post Office in the future. However, precisely because of the changes that I have been outlining, the answer cannot be to turn back the clock or to force the public to do things that they no longer choose to do—or at least increasing numbers of them. The answer must be new reasons to attract business through the door. Before I move on to the future, I want to remind the hon.

[Mr. McFadden]

Gentleman of what his own Opposition spokesman said when this issue was debated by the House in March. He said:

> "We have to face the facts about the future of postal services in this country...We fully expect the network to shrink in size. We have never given a guarantee that no post offices will close".—[*Official Report*, 19 March 2008; Vol. 473, c. 947.]

I am glad that on both Front Benches there is a recognition of the impact of some of the technology, lifestyle and competition changes that I have outlined. I appreciate that this is difficult for those branches that are affected, but I would also encourage some sense of perspective about the scale of what is being proposed here. The subsidy that the Government have invested will enable some 7,500 post office branches to stay open that may otherwise be placed under threat. In the area plan covering the hon. Gentleman's constituency, over 90 per cent. of his constituents will see no change to the post office branch that they currently use, and over 99 per cent. will either see no change or remain within a mile—not as the crow flies but by road—of an alternative post office branch.

Alongside the closures, new outreach services are being introduced. They are a more flexible—sometimes more part-time—and low-cost way of delivering post office services, particularly in rural communities. There are some in the plan that cover the hon. Gentleman's constituency.

In the time that I have left, I want to concentrate on what the hon. Gentleman said on rural-proofing. He made a point that was wider than post office closures. When we started the closure programme, we could have closed those branches that required the largest subsidy per transaction. Those would be in remote rural areas in which the subsidy per transaction is sometimes up to £17 per transaction. Every time someone buys a stamp, there is a taxpayer subsidy of £17. However, because we value the social side of the network, we have used access criteria, which means that 95 per cent. of the total rural population across the UK must be within three miles of a post office branch. That preserves a service which is very far from being commercially viable. Without the access criteria, more rural post offices would close, not fewer. Despite the difficulty for his constituents, the programme has been carried out in a planned way so that we have a stable network in both rural and urban areas in the future.

Question put and agreed to.

Adjourned accordingly at one minute to Two o'clock.

Westminster Hall

Wednesday 4 June 2008

[MR. PETER ATKINSON *in the Chair*]

Pleural Plaques

Motion made, and Question proposed, That the sitting be now adjourned.—[*Mr. Watts.*]

9.30 am

Mr. Michael Clapham (Barnsley, West and Penistone) (Lab): This is the second Adjournment debate on pleural plaques since the Law Lords made their judgment on 17 October. In between those occasions there have been meetings with Ministers and a number of questions have been asked. I make no apology for that, because this is an enormously important issue to ordinary working people. It is nine months since that judgment was made, but it appears that there has been little movement. We want to see movement.

Pleural plaques are a clear indicator of asbestos exposure and compensation has previously been paid in respect of claims over the past 25 years. The Law Lords' decision ended the practice of paying compensation and left thousands of people bewildered and confused about the likelihood of their ever obtaining compensation in future for a condition that they contracted through no fault of their own and, in most cases, because of negligent exposure.

I shall read a letter I received, as chair of the all-party group on occupational safety and health and its asbestos sub-group, from Mr. Rudd, who is probably the leading expert in the country on asbestos. He is a consultant at Barts and head of its mesothelioma research centre. He was also involved as the expert witness in the House of Lords case. His letter, in my view, clears up many of the fallacies connected with pleural plaques. I shall move from that to explore some of the issues that he raises.

Mr. Rudd says:

> "I understand there is to be a debate concerning pleural plaques. I should like to draw the attention of Members of Parliament to some essential points.
>
> 1. Pleural plaques are a pathological change in the membrane which surrounds the lung, caused by inhalation of asbestos fibres.
>
> 2. The plaques themselves usually do not cause symptoms although they may cause discomfort, pain, breathlessness in exceptional cases when they are very extensive.
>
> 3. Pleural plaques are detected on chest x-ray in less than 1% of the general population and when they are present enquiry almost always reveals a history of asbestos exposure.
>
> 4. People with pleural plaques are at risk of developing diffuse pleural thickening causing breathlessness, asbestosis of the lungs causing breathlessness, lung cancer which is usually fatal and mesothelioma, a cancer which can occur in the lining of the chest cavity or in the lining of the abdominal cavity which is almost invariably fatal, usually within 12 to 18 months of the first symptoms."

Last year there were 2,000 diagnoses of mesothelioma cancer, which is the third fastest-growing in the UK. Mr. Rudd continues:

> "5. People with pleural plaques who have been heavily exposed to asbestos at work have a risk of mesothelioma more than one thousand times greater than the general population.
>
> 6. People with pleural plaques commonly experience considerable anxiety about the risk of mesothelioma and other serious asbestos diseases. Despite reassurance offered by doctors that the condition is harmless often they know of former work colleagues who have gone on to die of mesothelioma after being diagnosed with pleural plaques. For many the anxiety is ever present. Every ache or pain or feeling of shortness of breath renews the fear that this may be the onset of mesothelioma. The anxiety is real for all and for some has a serious adverse effect on quality of life."

Mr. Rudd's letter dispels a number of fallacies, some of which I shall mention. For example, he says that pleural plaques are a pathological change—in other words, a disorder caused by pollution of the body through the inhalation of asbestos fibre, which can arise only as a result of exposure to asbestos. He says that pleural plaques are symptomless but can cause discomfort. People who come to my constituency surgery suffering from pleural plaques and breathlessness contend, as victims, that the breathlessness has come on as a result of their pleural plaques.

David Howarth (Cambridge) (LD): I congratulate the hon. Gentleman on securing this second debate on the subject. However, will he confirm that the House of Lords decision does not affect people who have symptoms such as breathlessness that they can show were caused by pleural plaques? It is important that we reassure people that if they are ill, their rights have not been taken away.

Mr. Clapham: The hon. Gentleman will be aware that the House of Lords decision referred to the fact that people may be able to sue under contract law in cases where they have the condition. I am told by lawyers who have looked at this matter that there is no possibility of a case succeeding at contract. I agree that a worsening of the symptoms—for example, where diffuse pleural thickening is found—is a compensatable condition. In addition to compensation being pursued at common law, people may receive payment of an industrial injury disablement benefit where there is pleural thickening. I take the hon. Gentleman's point on board. However, it is important to show the Minister and her colleagues that there is a great deal of concern, because although the consultant says that pleural plaques are symptomless, he mentions that they can cause great discomfort. People come to my surgery and I meet people at trade union conferences. I attended the Union of Construction, Allied Trades and Technicians conference only three weeks ago and met a number of people who contend that their condition of breathlessness is the result of pleural plaques.

I want to mention the background of one judge who dissented and had greater empathy, as that is an important factor in understanding why the judgment was made. I also want to draw attention to the hypocrisy of the insurance industry.

Dr. Ian Gibson (Norwich, North) (Lab): Before my hon. Friend moves on to talk about judges, I should like to put on record that in respect of bowel cancer there was a phenomenon called polyps, some of which turned out, after years of research, to be early cancers. Perhaps, if we did the research and investigation, we would find that some pleural plaques might, because of other instances, turn into cancers. There is no evidence either way, so we need more research in that field, too.

Mr. Clapham: I am grateful for my hon. Friend's intervention. The TUC holds that, in addition to mesothelioma, some 4,000 people die from cancer after exposure to asbestos and it contends that that is clearly the result of the asbestos exposure, although there is not the same evidence to substantiate that point as there is, for example, in respect of mesothelioma cancer.

The consultant said that, on investigation, chest X-rays show that less than 1 per cent. of the population are found to be suffering from pleural plaques. In other words, he dispels the view expressed by civil servants that pleural plaques occur generally within the population. That is not true. Pleural plaques occur only as a result of asbestos exposure and the country's leading medical expert has clearly made that point. X-ray evidence shows that people with pleural plaques have been exposed to asbestos and it is not a condition found in the general population.

Roughly a third of people occupationally exposed to asbestos develop calcified pleural plaques after 30 years. After 20 years of exposure, 15 to 20 per cent. of people develop calcified pleural plaques. Again, that is clearly an indication that the body has been polluted and that there is an intensity of pleural plaques. One can well understand why people contend that their pleural plaques have caused breathlessness. As my hon. Friend the Member for Norwich, North (Dr. Gibson) said, more research might show whether when pleural plaques intensify, the condition relates to breathlessness.

We know that pleural plaques show a physical change in the lining of the lung in a person who has been exposed to asbestos—either occupationally and environmentally—and suffered the penetration of asbestos fibres. Mr. Rudd points out that people with pleural plaques commonly experience anxiety about the risk of mesothelioma and other serious diseases. As I said, I went to the UCATT conference a couple of weeks ago and talked to men with pleural plaques who work in the construction industry. This is what I was told.

John Scott, a UCATT official from the north-east who has been diagnosed with pleural plaques, said:

> "For people like me the clock is ticking faster than it is for others. I try to be positive but in my heart of hearts it is always at the back of my mind."

In other words, although he tries to take an optimistic view of life, he is brought back to reality by the knowledge at the back of his mind that he has pleural plaques and may develop mesothelioma cancer.

Tony O'Brien, a UCATT worker from London, was diagnosed with pleural plaques three years ago. He has been exposed to asbestos since he was 15 years old when he started an apprenticeship in the construction industry. He said:

> "The most important thing is the recognition of the damage that has been done to you that didn't need to be done."

In other words, the damage was clearly caused by negligence. It is a grievance that a person who has been negligently exposed to asbestos, which has caused a physiological change, is unable to make a compensation claim unless his condition worsens to the extent that he is fully disabled. I say that because when one sees someone who suffers from diffuse pleural thickening, they are often gasping for breath and cannot walk uphill. They are limited in their mobility and suffer from a worsening condition that causes a great deal of disability.

The Law Lords' decision means that a person with pleural plaques is unable to claim compensation unless the condition worsens. That is despite the fact that, as Tony O'Brien says, he knows he was negligently exposed and would not be suffering from the condition if his employer had taken more care, yet he cannot sue for compensation until his condition worsens.

Mr. David Anderson (Blaydon) (Lab): Not only would Tony know, but his employer would know too, and that is where the real negligence lies. This has not gone on in ignorance but while employers knew that they were using a substance that was poisoning their work force.

Mr. Clapham: I thank my hon. Friend for that intervention. It is true that those men were negligently exposed. Part of the grievance is that men who were exposed from the age of 15 in the same way as Tony O'Brien are now unable to pursue compensation. The grievance is made worse because we know that until the House of Lords decision, compensation had been paid in such cases for 25 years. Those men carry a grievance and I say to the Minister that they feel they have been badly let down.

The decision was made nine months ago, as the Minister knows because in July 2006 she played an important part in reversing the Barker judgment. The decision in that case was made in the House of Lords in May 2006 and by June the legislation to reverse it was on the statute book. However, there has been no movement on the matter after nine months, despite the concern caused among workmen who have been exposed to asbestos.

As my hon. Friend the Member for Blaydon (Mr. Anderson) said, it is clearly wrong that an employer should be able to evade their responsibility. The Minister should seriously consider that and think about overturning the Law Lords' decision through legislation. As I said, it is nine months since that decision was made. People like Tony O'Brien and John Scott have every right to be concerned because the fact that the ruling stands is a green light to other employers to take risks in future with people's health when using dangerous chemical or other substances at work. That is an important aspect of the judgment because employers will see that the employer in this asbestos case—pleural plaques—has been able to get away with it and does not have to pay compensation.

There are 274,000 businesses in the UK construction industry. It is a fragmented industry and the bulk of employers are small companies. Those companies will think that the decision allows them to get away with exposing their work force to asbestos. It is also a green light to small companies in other industries, so we need to be seen to make swift progress on the matter.

As I said, the Law Lords indicated that they had sympathy for the plight of the victims. It was suggested that some of the victims might sue for breach of contract. Lawyers have advised me that such cases would not succeed. I have always believed that there has been a failure to empathise in this case, and one can see that when considering the make-up of the judges. The dissenting judge, Lady Justice Janet Smith, comes from an altogether different background. She was a housewife for 10 years before she decided to study law, which she did through a correspondence course. When she became a barrister, she worked in Manchester for 20 years and represented occupational industrial disease cases and personal injury cases generally.

It was Justice Janet Smith who dissented in the case; she made the point that she thought that the men should be paid compensation. Her experience sets her apart from her colleagues. She was closer to the victims. She understood them; she knew the background that they came from and the industries that they worked in, and that led to her decision that compensation should be paid. Even in the High Court, Mr. Justice Holland accepted that the men had been negligently exposed to asbestos and that they should be paid compensation for their pleural plaques. I therefore urge the Minister to take up with her colleagues the need to move speedily to ensure that the men can claim compensation.

The Minister has to be aware that what we are debating is one of a series of attacks on asbestos victims by the insurance industry. We have already mentioned the Barker case. I have the transcript of an interesting interview that took place on Radio 4 on the day of the Law Lords' decision: 17 October 2007. In that interview, the representative of the insurance industry, Mr. Nick Starling, said, "We"—the insurance industry—

> "are absolutely committed to making sure that people who are affected by the deadly effects of asbestos, mesothelioma, asbestosis and so forth get their compensation quickly."

However, when we juxtapose that statement with the action of the insurance industry yesterday in launching a test case on the trigger issue, it is shown to be pure hypocrisy. I understand that there will be a nine-week hearing in the court and the case will most probably finish up in the House of Lords. If the insurance industry is successful in the trigger case, it will be able to escape liability completely. The insurance industry comes back time and again, like a jackal, to tackle the issue of occupational disease caused by asbestos. It is therefore important that the Minister takes a stand.

The problem for the victim in such a situation is that there may be no other insurer to pay their claim. We shall see whether the insurance industry succeeds with the trigger case, which is really about deciding which insurance company should pay compensation and whether the tumour was caused when the fibre was first inhaled or whether the point at which the insurance industry should take things up is when the tumour develops, which may be 40 years afterwards. By that time, there may not be an insurer that can be traced and the company may not be in business, so if the insurance industry is successful, it could escape liability altogether. The case clearly shows hypocrisy on the part of the insurance industry: on one hand, it says that it wants to pay fair compensation, but on the other hand it is coming back time after time, like a jackal, to try to ensure that it can dispose of liability altogether in asbestos cases.

I understand that a consultation exercise will be launched in the next couple of weeks, but I strongly suggest to the Minister, even at this eleventh hour, that she does the following things. She has to emphasise to her colleagues the need to reverse the Law Lords' decision. That is the best and cleanest way forward. Legislation could be framed to say that any permanent, irreversible structural change to the lung or lining of the lung diagnosed during a person's lifetime as pleural plaques, pleural thickening or asbestosis caused by negligent exposure to asbestos shall amount to actionable damage and be compensatable and this shall include any action for such damage that has been struck out or discontinued since 17 October 2007. If we had legislation based on that principle, we could return to the situation that prevailed before the Law Lords' decision, which would be fairer for everybody concerned.

The Minister might also consider insisting that the insurers use their considerable savings from the pleural plaques judgment. She may be aware of the suggestion that they made savings of £1.4 billion as a result of the judgment. She might like to insist that the insurers set up a fund for claimants who, through no fault of their own, cannot identify an insurer and whose employer has gone out of business. That would ensure that people caught in that situation could claim compensation from the fund. The Minister might want to raise that with the insurance industry.

If there is to be a consultation, I hope that the Minister has thought about the long delay that there has been—it is nine months since the decision—and will make it the shortest period of consultation possible. If we have to wait six months before we can start considering the options, people will feel that we have failed. It is important that we show people that we want to restore a fair compensation system.

9.56 am

Linda Gilroy (Plymouth, Sutton) (Lab/Co-op): I congratulate my hon. Friend the Member for Barnsley, West and Penistone (Mr. Clapham) on securing the debate, which is timely. He has led much of the work on this issue. I think that I am right in saying that he was involved in initiating the sub-committee of the all-party group on occupational safety and health, which deals with these matters and keeps them before us. I say to hon. Members who have not yet picked up a copy of the debate pack provided by the House of Commons Library that he has also done us a great service by prompting the production of that pack, because for those of us who continually have to explain to constituents where the problem stemmed from, it sets out clearly how we have come to this situation, which needs to be changed.

My hon. Friend spoke very clearly about how this condition comes from exposure to asbestos at work and how people who are exposed at work to asbestos are 1,000 times more likely than others to develop this condition. My constituency contains the Devonport dockyard, which sadly makes the area a hotspot for deaths arising from asbestos-related diseases. As my hon. Friend mentioned, one third of people develop disease from the pleural plaque condition that turns into a cancer within a 30-year period and 20 per cent. within 20 years. I think that those were the figures that he cited.

In Plymouth, we have had 250 deaths in the past 15 years. In 1968, in the early days following people's exposure at work, the number of deaths was as low as 153, but now it is 2,000 a year and it will probably peak at about 2,500 over the next 10 years. We are not talking just about individuals; there are also families whose anxiety is raised—probably 7,000 to 10,000, if one third go on to develop the condition. Given that some of those families' worries do not translate into death from

[Linda Gilroy]

a cancer-related disease arising from pleural plaques, the number of people affected is much greater than such figures suggest.

I pay tribute to everybody who supports people in this campaign and in dealing with those anxieties. I am thinking of groups such as that in my constituency, which was set up by the family of Roger Lowe, who was a dockyard electrical fitter. He lost his battle against the disease in 2005. His family, and particularly his daughter Jackie, who is an articulate spokesperson, have raised these issues. They want to ensure that people can make the best of things. If the disease becomes a cancer, I think I am right to say that people have about 18 months from that point until death. One reason that that gives rise to anxiety for those who have pleural plaques is that they wish to be prepared—to make those last months as good as possible and to find out about the various support services available.

We should also pay tribute to the trade unions that are backing the campaign. The Union of Construction, Allied Trades and Technicians has already been mentioned, but I know that the Public and Commercial Services Union, Unite and GMB are also actively backing the campaign in my constituency.

In May, we had an interesting seminar, but great concern was expressed about the time that it will take to sort out the House of Lords ruling. My hon. Friend the Member for Barnsley, West and Penistone has put before us a straightforward and clear way for that to take place. For all those who are worrying about these things, the sooner we sort them out the better. My constituents feel let down.

We should consider how many hon. Members have raised the matter in questions, signed early-day motions and have campaigns running in their local constituencies. My hon. Friend the Member for Norwich, North (Dr. Gibson) runs an open surgery campaign in his local paper, as the *Evening Herald* does for Plymouth. The Norwich *Evening News* runs what it calls the "Dust of Death" campaign.

I hope that we will hear shortly from my hon. Friend the Minister of a way ahead. We have heard that there will be consultation, but I hope that it will not be overly complicated and lengthy. The suggestion of my hon. Friend the Member for Barnsley, West and Penistone has the merit of being straightforward; it has great clarity and may prove to be a possible outcome. Once again, I thank him for giving us this timely opportunity to debate the matter. It reminds us what the issue means to our constituents. I hope that we will hear of some progress from the Minister.

10.2 am

Mr. David Anderson (Blaydon) (Lab): I thank my hon. Friend the Member for Barnsley, West and Penistone (Mr. Clapham) for initiating the debate. I also thank the Minister; as was mentioned earlier, she has a good track record in trying to address such issues—and certainly in helping to overturn the Barker ruling. That was most welcome to those who sadly came together to campaign about the problems of exposure to asbestos, a problem that has happened too frequently for well over a century.

I thank my hon. Friend the Member for Barnsley, West and Penistone for producing the letter from Mr. Rudd. It dispels many myths that have grown up around the subject debate; I shall return to it later. First, however, I want to ask how we got to this state.

As I said earlier, we have had 25 years of people having the right to compensation, which no one seemed to think was out of order or too expensive—except, of course, the employers and their insurers. I have no doubt that the lawyers in the Chamber and those outside will explain in great detail why it was the right thing to do. I am no lawyer, and I do not pretend to be one, but I have some simple questions, which will show that there has been negligence.

First and foremost, did people suffer? There is no doubt that they did—thousands, perhaps tens of thousands or even hundreds of thousands suffered over the years. Did the employers know that people were suffering? Yes, they did. Did they know that the substance being used was poisonous? Yes, they did; they have known since 1892, when asbestos was declared to be a poisonous substance; and they have known since 1965, when they were told not to use it any more. However, people are still suffering.

Did employers do anything to alleviate the problem? To an extent, yes they did. Was it enough? Clearly, it was not. Were they liable? If we answered yes to the previous questions, I do not see how we can give any other answer than yes to that last question. Were they negligent? Clearly, they were. Were they criminally negligent? To my mind, they were.

It is clear that the people who are pushing this are the insurance lobby. Having pushed it this far, they are already gearing up to challenge what might be a way to resolve the matter. We are led to believe that the Scottish Parliament will try to address the legal situation in Scotland, making changes to the law that will allow people in Scotland to challenge the House of Lords ruling.

However, I have been advised that the insurance lobby is already talking of going for a judicial review. They are thinking of using the European human rights legislation—if it was not so serious, it would be funny. They speak of challenging the very remit of the Scottish Parliament—whether it has the constitutional authority to challenge a House of Lords ruling.

I would be very interested to hear the Minister answer those points about the position of the Scottish Parliament. Does she, and do the Government, support the attempts by the Scottish Parliament to take action to resolve the matter for Scottish people? If possible, will she help the Scottish Parliament to progress the matter despite the influence and the interference of the insurance lobby?

It is clear, as we heard from my hon. Friend the Member for Plymouth, Sutton (Linda Gilroy), that Ministers have seriously considered the matter. We have had a number of meetings since the matter was first raised, culminating a month ago with a meeting with the Prime Minister. The Prime Minister was very sympathetic to the case being put forward, but some of the advice that he might have been offered gives me cause for concern.

At that meeting, we were told by an adviser that as many as one person in five could be suffering with pleural plaques. I guess that that is about 12.5 million people; if we have to consider the needs of that many people, it is a very serious situation. I asked the adviser if he could provide me with more information. I am still waiting for it. Much more important, however, is the advice that we were given by Mr. Rudd, who is an expert in these matters. He says clearly that less than 1 per cent. of the general population have the problem, and that for nearly all of them it was the result of a history of exposure to asbestos. That is the key: although it is a big issue, it is nothing like as big as we are led to believe by the Prime Minister's adviser.

The other thing that worries me—it was brought out in the previous debate on this subject in this Chamber—is that some in the industry and some doctors say that it is nothing to worry about. They say that the real problem is people worrying about being ill, and that if people did not know that they had pleural plaques they would not worry and therefore would not be ill. However, if Mr. Rudd is correct, people who have been exposed to asbestos at work have a more than 1,000 times greater risk of contracting mesothelioma than the general population. Those people are right to be worried. We in this Chamber should be aware of that issue, and try seriously to put it right.

The last sentence of Mr. Rudd's letter gives another reason why people should be looked after properly. He says,

> "This anxiety is real for all, and for some it has had a serious adverse effect on their quality of life."

If that is not an issue that should be addressed by the House, what is?

Like my hon. Friend the Member for Plymouth, Sutton, I work closely with a group involved in the mesothelioma campaign—the Mick Knighton Mesothelioma Research Fund in the north-east of England. The campaign is run mainly by widows of relatively young men who died in the prime of life. They support each other and raise funds to push forward research. It is clear that they should not have to do this, but they have no alternative. They believe that the only way to make the issue somehow bearable is to try to resolve it for themselves and their families.

This is about real people. My hon. Friend the Member for Barnsley, West and Penistone mentioned John Scott, who is a UCATT official in the north-east of England. I had the great privilege of working with him for many years on Newcastle city council. He has spent a lifetime standing up for other people who work in some of the most dangerous occupations in the country in the building and construction industry. He is the sort of person that I came into Parliament to stand up for. If John Scott has pleural plaques, he should be looked after, as should people like him. We should do that now. Will the Minister listen carefully to what is being said today? The consultation period is welcome, but it needs to be short, precise and effective. We need action in the House: if the law needs changing, we should go ahead and do it.

10.10 am

Jim Sheridan (Paisley and Renfrewshire, North) (Lab): I add my thanks to my hon. Friend the Member for Barnsley, West and Penistone (Mr. Clapham) for securing the debate. The issue will not go away until or unless we get some sort of satisfactory conclusion on behalf of our constituents who suffer from that terrible disease.

I shall be brief, but I will not dilute in any way the importance of the debate. I am not only anxious to hear what the Minister has to say and to allow her ample time to speak, but to hear what the Opposition parties say. To date, they have been extremely helpful and supportive in the campaign to get justice for those who suffer from pleural plaques. I also thank my hon. Friend the Member for Barnsley, West and Penistone for bringing forward new evidence this morning, and I hope that the Minister reflects on it and responds accordingly.

The debate on pleural plaques has been well rehearsed in this Chamber and throughout the country. To my mind, there is no tangible evidence to prevent the Government from introducing legislation that will compensate those workers who, through no fault of their own, have contracted the disease.

Insurance companies and their legal conspirators play a role in the drama. From day one, insurance companies have set out to block and obstruct the legislation that provided workers with decent compensation, which prompts the question why, after 25 or 30 years, the matter has gone back to the House of Lords. The only reason I can think of is that the insurance companies are trying to cut costs and save money by denying people compensation.

To digress briefly, there was a similar example of such practice under Scots law not so long ago. It used to be that when people died of mesothelioma, their claim died with them, so we saw the unedifying spectacle of insurance companies engaging medical practitioners to assess, across the courtroom, how long a claimant had to live. The companies would then find some sort of technicality to put the case back, hoping that the claimant would die and their claim with them. I mention that to give the Minister and the Government a flavour of the kind of people with whom we are dealing in the insurance industry: they may have sharp suits, but they also have sharp practices. Fortunately, under Scots law, the trade unions, to their credit, fought and won the case, so when someone dies, their family can claim compensation.

My hon. Friend the Member for Barnsley, West and Penistone mentioned the previous debate on the matter and the branch of the GMB in London—only one branch—in which at least 12 people per year contracted pleural plaques. A significant number of those people went on to die of mesothelioma. That is one branch, as I said, so extrapolating that number throughout the UK would give us an idea of the seriousness of the problem. If the same number of cattle were affected by a disease, the *Daily Mail* and others would argue that compensation should be at the top of the list, and that it should be a priority for the Government to compensate the farmers whose cattle had died. What is the difference between cattle and human beings?

There is an international dimension to the matter. The trade unions and the Government have worked to regulate the use of asbestos in the country, but producers have now moved to third-world countries. There is evidence that people in such countries are suffering from the same disease that people in this country suffered from some years ago. That producers of asbestos move from this country to exploit workers in developing countries is a problem. There is a moral case for this country to lead the way and say, "If you poison and

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exploit people in third-world countries, you should suffer the same consequences as you would here."

There is hope that the Scottish Parliament will introduce legislation to deal with the problem. I have said this before and I shall say it again: I sincerely hope that it brings forward legislation to overturn the ridiculous decision by the Law Lords. I still live in Scotland, and I have watched the performance of the current Administration there, so I have some doubts that they will deliver, given that they have delivered on very few of their promises to date. I wish them the best, but I sincerely hope that the UK Government are not standing back waiting for the Scottish Parliament to legislate. Like my hon. Friend the Member for Blaydon (Mr. Anderson), I want to know what discussion, if any, the Minister or the Ministry of Justice has had with the Scottish Parliament on the issue and what progress has been made.

I have a high level of respect for the Minister—she is a progressive thinker and a fighter for workers' rights—but, in the previous debate on the matter, she said that she had a duty to consult other Departments. Will she detail which Departments she has consulted and tell us what their position is? What assistance can those of us who are campaigning for legislation to be introduced offer to bring about a satisfactory conclusion?

I am at a loss, as are people outside the Westminster bubble, as to why we need yet more consultation. We have had consultation since October last year. Perhaps people have not been listening, but do we need further consultation? If so, how long will it take? People are anxious about where we are going with those consultations. Telling them that we need another three or six months' consultation on the matter suggests that we are kicking it into the long grass. I sincerely hope that that is not the case.

Like others, I was extremely heartened when the Prime Minister appeared at the Scottish trade union conference and said that the Government are working toward solving the problem of pleural plaques and that they will bring forward legislation in the near future—he reiterated that at the Scottish Labour party conference. The Prime Minister is a man of integrity. He has said clearly that we want to be on the side of hard-working families and to introduce fairness. To my mind, there is nothing more fair than saying to the workers of this country, "If you contract a disease outwith your control, those responsible will be held accountable."

10.19 am

David Howarth (Cambridge) (LD): I repeat my congratulations to the hon. Member for Barnsley, West and Penistone (Mr. Clapham) on securing the second debate on pleural plaques in six months. The fact that he has done so illustrates the importance of this subject.

Although I do not want to take up hon. Members' time by repeating what I said in our earlier debate, I stand by what I said then. In particular, I want to mention a point that I raised in that debate, because it is important and has not come up today. Possibly the worst result in the House of Lords cases was that in the Grieves *v.* Everard case. Unlike those in all the other cases, Mr. Grieves had a recognised psychiatric illness as a result of what had happened to him. People with such illnesses are legally in a very different position from those who suffer simply from anxiety. It is incomprehensible that Mr. Grieves was denied compensation, and I urge the Government to review, in its entirety, the law on psychiatric damage in such cases and, indeed, in all cases.

As the hon. Member for Barnsley, West and Penistone has said, we currently have two ways forward, and he described both. One is to reverse the legal result in the House of Lords cases, which has also been suggested in Scotland. The other is to ensure that there is a proper fund from which people can claim if they eventually suffer from the serious diseases associated with asbestos—mesothelioma and asbestosis.

Mr. Henry Bellingham (North-West Norfolk) (Con): The hon. Gentleman is making an interesting point. He has mentioned pleural plaques sufferers going on to develop serious symptoms, but some sufferers will obviously develop less serious ones. Beyond mere stress and anxiety, they may develop physical symptoms that are not life-threatening. Surely, they should also be able to claim from the fund that he proposes.

David Howarth: That is possible, but it needs to be said that people with symptoms of illness—breathlessness and general physical problems—are allowed to claim under the existing law. The House of Lords did not say that they could not, and it is a misunderstanding of what the Lords said—this is causing anxiety in various communities—to think otherwise. Such people are not excluded.

Let me return to the two solutions. I understand why the Government are having difficulty with the first one—the reversal of the law in the House of Lords case—and I will explain why I think that they are right to think that there are difficulties. Indeed, the fact that there are such difficulties is probably why there has been little progress in Scotland, despite the fact that the Scottish Justice Minister announced almost immediately that the Scottish Parliament would reverse the judgment. Those difficulties with the first suggestion are, however, no excuse for not getting on with the second one, which provides a practical way forward. I therefore want to hear the Minister's view not only on the first suggestion from the hon. Member for Barnsley, West and Penistone, but on the second one.

Why is it understandable that the Government should hesitate to go forward with the hon. Gentleman's first suggestion and reverse the judgment? All the bad reasons for hesitating have to do with the insurance industry, but there is one good reason for hesitating, and it relates to the question of how such a statute would leave people who were in similar positions, because they still could not sue. There is the question of fairness towards other sorts of claimant.

Let me give two examples. What about people who have received blood transfusions that might be tainted with HIV or hepatitis? They have a higher risk than the rest of the population of developing AIDS or hepatitis, and they will be very anxious about that. They are therefore in a similar position to people with pleural plaques, but they would not be allowed to sue under the hon. Gentleman's suggestion, because it would apply only to those with pleural plaques.

The second example, which raises an even more serious problem, relates to people who were exposed to large amounts of asbestos, but who have not developed plaques.

Mr. Clapham: As yet.

David Howarth: As yet. Such people may not, however, develop plaques before they develop mesothelioma. The problem is that those people, who are in exactly the same position in terms of the risk that they face, would not benefit from the hon. Gentleman's suggestion. There is a question of fairness across these various groups of possible claimant, which is a problem.

As the letter from the consultant expert mentioned by the hon. Gentleman stated, having pleural plaques does not in itself cause an infirmity—it might, and if it does, the right to sue will still remain—but simply marks the fact someone has been exposed to asbestos. At the same time, many people who do not develop plaques, but who have been exposed to asbestos, are at exactly the same risk of developing mesothelioma or asbestosis and should, therefore, be treated in the same way as those who have developed pleural plaques.

Hon. Members have already discussed why cases came to the House of Lords when they did. The House of Lords decided that it was not possible in general to sue for the future risk of contracting a disease and that people had to wait until something bad happened to them before they could sue—that was the ruling in the case of Gregg *v.* Scott in 2005. As a consequence, it became almost inevitable that the pleural plaques cases would go the way they did.

Jim Sheridan: I am closely following what the hon. Gentleman is saying. My point is that the House of Lords did not wake up one morning and say, "Let's deny compensation to pleural plaques sufferers." What happened was a direct result of the insurance companies' challenge.

David Howarth: I fully accept that the situation has come about because the insurance industry took advantage of the new legal situation, but the insurance industry did not create that situation. The situation was created in a different context—that of medical cases—and related to the general point about whether someone was allowed to sue for risks that had not yet arisen. There is a gigantic legal debate about that general question, which has not yet been resolved.

Linda Gilroy: I, too, am following closely what the hon. Gentleman is saying, because a number of people have deployed these arguments. In addition to the point made by my hon. Friend the Member for Paisley and Renfrewshire, North (Jim Sheridan), there is the fact that the conditions that we are talking about were compensated to a modest extent for 20 years—we are talking about sums of £5,000 to £10,000. Does the hon. Gentleman not think that that makes this situation somewhat different and explains why our constituents feel that it is so unfair?

David Howarth: I understand the feeling of the hon. Lady's constituents. My point is simply that it was thought before the Gregg *v.* Scott case that it might be possible to sue for risk on its own. That is an unresolved issue in the law, which goes back to a House of Lords case called Hotson *v.* East Berkshire relating to medical negligence. When the Gregg case was decided, however, it became clear that people could not sue for future risks.

The question whether people should be able to sue for future risks is a difficult one. Let us say that there are 100 people and that there is a 5 per cent. chance that some of them will develop a disease or condition. If people were allowed to sue for future risk, one would give each of those 100 people 5 per cent. of the future damages to which they would be entitled were they to get the full disease. The problem with that is that 95 of them would turn out to be overcompensated, because they would get 5 per cent. compensation even though they did not get the final disease, while five of them would not get compensation for the whole seriousness of the condition. We might then say, "Let us give the 5 per cent. full compensation, but still give the 95 per cent. 5 per cent", but the defendants would complain that they were paying out almost double the compensation than if they had simply compensated people with the disease.

That is a big unresolved problem with the law, and the consequences of changing the whole law are not yet worked through. It is not clear that it would be a good idea. However, if only the bit concerning pleural plaques is changed, the result is the anomaly of how to deal with people in exactly the same position—including people exposed to asbestos—who would benefit if the whole law were changed, but not from the suggestion of the hon. Member for Barnsley, West and Penistone.

Mr. Clapham: The reality prior to the House of Lords decision was that when a man was found to have pleural plaques and received compensation the insurance industry would approach him to ask whether he was prepared to accept a full and final settlement or an interim payment. Such individuals were put in an invidious position, which my hon. Friend the Minister has removed as a result of her work on the Child Maintenance and Other Payments Bill. The payments with respect to mesothelioma will address that situation. The overlapping of different statutes has created a betterment. It seems to me—the hon. Gentleman admits this—that the law cannot deal with every problem. Yet the solution that I have put to the Minister would reverse the situation and at least make things better, although not in every case because some cases would be missed.

David Howarth: I accept the hon. Gentleman's point that there would be an improvement for some cases by following that course of action. The question then is whether it would be right to follow it for all cases. I have spent too much time in my remarks understanding the Government's difficulties, and I do not want to understand them any more, but I recognise that they have a responsibility to the whole range of possible claimants under tort law.

I have only a couple of minutes left, and I want to spend them agreeing with the second of the suggestions made by the hon. Member for Barnsley, West and Penistone, which is crucial. The real problem now is that a large number of people are potential claimants with respect to serious disease at some point in the future. When they develop those diseases, they can

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claim, but what happens when we get to that point and find that the company has gone out of existence, because it is insolvent, or, worse, that as in the Cape cases, which hon. Members will remember, there has been some corporate engineering, so the only bit of the company that is liable is a bit that does not have any money? Those are the possibilities against which the Government must act.

There are two points to make: first, the law must require some sort of contingent liability fund to be set up, either directly by the defendant companies, or through the insurance industry; and secondly, we must make sure that future victims will be allowed to claim directly against the fund, and not be told that they can claim only against insolvent companies, and that there is no point. Progress can be made on both those points now, without a vast amount of thought about the consequences for fairness in the rest of the law. That is why I fully support the hon. Gentleman's second suggestion and urge the Minister to think about that suggestion separately from his first.

10.34 am

Mr. Henry Bellingham (North-West Norfolk) (Con): I, too, congratulate the hon. Member for Barnsley, West and Penistone (Mr. Clapham). He made a good and telling contribution on 23 January, but there was not enough time in that debate for every participant to make a long speech. He presented his case very well, with passion and sincerity. It was most heartfelt.

The issue as a whole affects not only the industrial heartlands of the country, but almost every constituency. Indeed, a significant number of my constituents in North-West Norfolk, which is hardly one of our great industrial heartlands, suffer from pleural plaques problems. They are either retired people or people who have worked in the construction, lagging or other industries. It was interesting to hear the speech of the hon. Member for Plymouth, Sutton (Linda Gilroy), and to learn about her experience and expertise in connection with shipbuilding and related industries in her constituency.

An aspect of the debate that has struck me is the remarkable success of campaigners on behalf of employees exposed to asbestos, dust and related problems. The history of the issue encompasses the Pneumoconiosis etc. (Workers' Compensation) Act 1979, the action taken to assist mesothelioma sufferers, the Compensation Act 2006, which stipulated that negligent companies had to be jointly and severally liable, and part 4 of the Child Maintenance and Other Payments Bill, which the hon. Member for Barnsley, West and Penistone mentioned. There have also been changes to the civil procedure rules and a practice direction to ensure a uniform fast-track system for all mesothelioma cases. Significant progress can be seen if one looks across the whole spectrum.

Before the House of Lords ruling the law was based mainly on the 1980 case of Patterson *v.* Ministry of Defence, because a key finding in that case was the theory of aggregation: although the mere existence of pleural plaques could not give rise to a claim, when it was aggregated with the risk of anxiety the situation changed, and a claim could be mounted. The result was that most of the cases were settled and, as the hon. Member for Plymouth, Sutton said a moment ago, most were settled at a fairly modest level. The average settlement was at about the £5,000 mark. Some claims were settled for less, at about £2,000, and some for slightly more, up to about £10,000; large amounts of money were not involved. However, for a pensioner or pensioner couple who had worked hard all their lives for probably pretty mediocre wages and who were suffering great stress and anxiety, such sums, although not exactly life-changing, could make the difference between worry about the future and the ability to afford a holiday, perhaps, or a few other things to cheer up their lives. That is why the difference to those families was significant.

The status quo ante was perfectly satisfactory, because those modest awards were being paid. The cost to the insurance industry was significant, but I do not think that a single insurance company experienced a reduction in profits or in bonuses paid to directors, or significantly increased the costs to other policy holders. The figure of roughly £1 billion has been mentioned, but we should not forget that the problem is a finite one, because the unfortunate truth is that many of the pensioners, retired employees and pensioner couples are now quite old. The context in which we are discussing the matter is one of greatly improved health and safety at work so the problem will eventually go away, but there is an immediate crisis for the affected families.

It is a great pity that the House of Lords took the decision it did in Johnston *v.* NEI International Combustion, Rothwell *v.* Chemical and Insulating Company and the related cases, although I can understand why it did so. The hon. Member for Cambridge (David Howarth), who among other things is obviously an outstanding law lecturer—in fact, if I had spent less time in the pub when I was at Cambridge, and more time attending lectures by people like him, I might have got a better degree—explained in detail why the decision did not surprise him, and why it was in line with a growing and developing trend in tort case law. He mentioned the case of Gregg *v.* Scott.

One of the aspects of the House of Lords decision that interested me was the amount of medical evidence that is now on the record. In our debate in January, a number of hon. Members quoted medical experts. On one hand, medical experts Professor Mark Britton and Professor Tony Newman-Taylor, pre-eminent chest physicians and world-renowned experts on lung disease, confirmed that pleural plaques were not prevalent in the general male population and were an indicator of asbestos exposure. In other words, one cannot develop pleural plaques passively or as a result of smoking or other activities. They were quite adamant in their advice on the House of Lords case.

On the other hand, the House of Lords quoted other medical experts, including Dr. John Moore-Gillon, then president of the British Lung Foundation, and Dr. Robin Rudd. Dr. Rudd, a leading consultant, was fairly adamant in his advice to the House of Lords that pleural plaques in themselves did not necessarily lead to any malignant problems or asbestosis, but in the letter quoted by the hon. Member for Barnsley, West and Penistone, he clarified his views and put forward a very different argument. I find that interesting. I hope that the Minister will call in Dr. Rudd and have a discussion with him to find out exactly why his view is changing. It leads me to suggest that medical opinion is divided. A wider inquiry is needed. Surely she should consider setting up a royal commission, or at least tasking the Industrial Injuries Advisory Council to investigate the issue, to pull together all the medical evidence, get the experts in and see whether there is any consensus between the two sides. It certainly looks as though consensus is more likely, in light of what Dr. Robin Rudd has been saying recently.

The data are fragmented, as a number of Members pointed out. I am sympathetic to the idea of a medical register, but I note that the Association of British Insurers is against it and said in its briefing to Members:

> "We know that some have called for a new database to record the details of people with pleural plaques. The ABI rejects this proposal. It would not benefit people with plaques, and may cause anxiety".

However, it is essential to have those data.

The hon. Member for Cambridge suggested setting up a fund. The insurance industry has made the point that a pleural plaques sufferer who goes on to develop more serious symptoms or mesothelioma can sue. On the other hand, for someone who is ill and has a limited life expectancy to have to go through all the anxiety and stress of a case is completely unreasonable. That is why I am attracted by the idea that a fund could be set up to pay immediate compensation to anyone with pleural plaques who has developed a physical illness as a result.

I urge the insurance industry to move quickly to use some of the roughly £1 billion that it is saving to set up a fund. Why cannot the Minister join the insurance industry in helping to set it up? The official Opposition would certainly support her if she could persuade her Treasury colleagues to come forward with some money to help pump-prime a fund, on condition that the insurance industry puts up a majority of the money. Will she consider that idea carefully?

Will the Minister also consider exactly what the cost of legislation would be? I entirely accept the points made by the hon. Member for Cambridge: to introduce legislation to overturn the House of Lords decision could indeed lead to conflicts of interest and have significant implications for other types of tort. He mentioned blood transfusion victims; I am thinking, too, of people who have been subjected to toxic fumes, and other people subjected to various nuisances and torts who have not yet developed serious symptoms.

On the other hand, I do not think that it is beyond the wit of the intelligent lawyers in the Ministry of Justice to come up with a tightly-framed Bill targeted exactly at pleural plaques victims that would not lead to any precedents being set. If the Minister can move forward on that basis, the Conservatives would be sympathetic, and would help and support her, but will she tell us what such legislation would cost? We need to know where we stand and how many victims are out there. We need a proper register, and we need to know exactly what it would cost the Treasury.

I understand fully that the Minister's budget is tight, but the debates today and on 23 January have shown the level of feeling in the country. That feeling has been articulated by hon. Members from all parties. People feel very let down. They feel betrayed by what has happened. They do not understand all the legal nuances and the arguments that have been put back and forth. They do not understand what the insurance companies have been saying. What they do know is that a situation that could have given them some slight relief has been taken away, and they look to the Government to come up with solutions. The Conservatives will certainly support the Minister in any action that she takes.

10.45 am

The Parliamentary Under-Secretary of State for Justice (Bridget Prentice): I, too, congratulate my hon. Friend the Member for Barnsley, West and Penistone (Mr. Clapham) on securing the second debate on pleural plaques in six months. As the hon. Member for North-West Norfolk (Mr. Bellingham) said, my hon. Friend spoke persuasively in January, as did my other hon. Friends, and he has done so again today. He has spoken persuasively, cogently, powerfully and passionately about an issue that clearly raises great concerns among many of our constituents. We covered many of the same issues in the previous debate, but some issues were raised today that I want to consider a bit more. If I may, I will talk through some of the things that have happened in the past six months and then respond, as far as I can, to some of the particular issues raised today.

It is important to put on record again the fact that both the Ministry of Justice and the Government as a whole are absolutely committed to helping people who have been exposed to asbestos, as we have demonstrated in the initiatives that have been mentioned. The Compensation Act 2006 gives people who have contracted mesothelioma the opportunity to get their compensation more quickly, and the new practice direction for mesothelioma claims, which came into effect in April, will ensure that claims are resolved quickly and interim payments are made at the earliest opportunity.

As my hon. Friend said, the Child Maintenance and Other Payments Bill will provide up-front financial support for mesothelioma sufferers who were not eligible before, including those who were exposed as a result of contact with a relative, for example by washing their clothes. He kindly gave me credit for the measure, although I do not deserve it, as my colleagues at the Department for Work and Pensions took through the provisions. However, it shows the Government's commitment across Departments to giving people suffering from a particularly horrible disease some security in the last few months of their lives.

The previous debate was secured by my hon. Friend the Member for Paisley and Renfrewshire, North (Jim Sheridan). I told him at the time that I would continue to hold discussions with hon. Members about the effects of the House of Lords decision to see whether there was a way for us to help and support people with pleural plaques. My right hon. Friend the Justice Secretary and I have indeed had further discussions with a variety of interested parties: colleagues, trade unions, the insurance industry and others. As the Prime Minister said in March in response to my hon. Friend the Member for Jarrow (Mr. Hepburn), the consultation work will take place soon. I apologise to my hon. Friends for the fact that the consultation paper has not been published. I shall return to that point in a moment.

We take the problem of pleural plaques very seriously. The description given by the hon. Member for Cambridge (David Howarth)—he mentioned figures of 5 and

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95 per cent.—demonstrated the complexities of the problems involved and explains why we have taken far longer to come up with a plan for pleural plaques than for mesothelioma, which was a much more straightforward case. Fortunately, at the time, the Compensation Act 2006 was going through the House, which allowed me to introduce an amendment to deal with it. Nevertheless, we have been actively exploring options on how to help those who have been exposed to asbestos and who have developed pleural plaques, which clearly is not the same condition as mesothelioma.

The House of Lords judgment raised very complex issues. I take the point made by my hon. Friend the Member for Barnsley, West and Penistone about Lady Justice Smith and the 2:1 judgment of the Court of Appeal in favour of the insurance industry. The House of Lords judgment was unanimous—I shall return later to the point that my hon. Friend made about psychiatric illness—and based on the fundamental principles of the law of negligence. We must be responsibly mindful of the complexity of the issues and the strength of the Law Lords' findings.

I do not want to raise hopes unnecessarily. This is an incredibly complicated area, which the hon. Member for Cambridge articulated far better than I can, owing to his legal background and understanding of the issues. We have been carefully considering all possible options, and the consultation paper being prepared as I speak will deal in detail with the legal background, the available medical evidence and the advantages and disadvantages of suggestions made in response to the House of Lords judgment. We hope to publish that consultation paper by the middle of this month. The intention is that the consultation will run for 12 weeks, as is the case with most Government consultations, so that everyone with an interest can respond fully. We aim to publish our response before the Queen's Speech in November.

I take on board what my hon. Friends have said—that much of the information is available now and that views have already been well expressed—so I shall consider whether it is appropriate to reduce the consultation period. However, I cannot say that we will definitely reduce it, because, as the hon. Member for North-West Norfolk explained, it is important to collate and review all the medical evidence, and we are in discussion with colleagues about whether it would be appropriate to ask the Industrial Injuries Advisory Council to do that. That is particularly important given the evidence provided by Dr. Robin Rudd, to which my hon. Friend the Member for Barnsley, West and Penistone referred.

Dr. Rudd was one of the medical experts on whom the House of Lords clearly relied in its judgment, and at the time, no one dissented from the evidence put forward. I take on board what my hon. Friend said about Dr. Rudd and whether it would be appropriate to ask him to speak to me and the Ministry of Justice directly, or whether we should encourage him to give further evidence to, for example, the Industrial Injuries Advisory Council. I would also be interested in whether the chief medical officer would be prepared to reconsider the evidence. In making an assessment at the end of the consultation, it would be helpful to hear those objective, independent views.

As hon. Members have said, pleural plaques are evidence only of exposure to asbestos, as was made clear in the House of Lords judgment, and opinions differ over how many people then develop serious asbestos-related diseases, such as mesothelioma.

Jim Sheridan: Will the Minister mention the situation in Scotland?

Bridget Prentice: I certainly shall. I shall leave the evidence, which I think is clear. We have been in discussion with officials in Scotland, but nothing clear has emerged. I suspect that my hon. Friend's analysis of the Scottish Executive was accurate, and I would be most interested to hear whether they have made any progress since the declaratory statement that they made some time ago—there has been a deafening silence ever since.

As I said, I shall reconsider the consultation period. The consultation will be objective, and all options will be put forward, and I hope that everyone will respond.

Issues relating to psychiatric illnesses were covered in the 2007 consultation. It is of course possible to claim damages when a recognised psychiatric illness is exposed. I accept the point made about the very particular House of Lords decision, which we might want to consider in more detail before returning with some suggestions.

This has been a very important and excellent debate and will help to move things forward. As I said, the consultation period will begin very soon, and I hope that as a result my hon. Friends will see serious action from the Government, who are committed to helping people with pleural plaques and asbestos-related diseases.

Supermarkets

10.59 am

Mr. Barry Sheerman (Huddersfield) (Lab/Co-op): It is pleasure to serve under your chairmanship, Mr. Atkinson, and to initiate this debate. I did not realise that I would be awarded one in the middle of my Select Committee proceedings. It is an unusual time for me to have to leave my Committee, but it is a pleasure to be here and to introduce a debate on an issue close to my heart.

Many years ago, before coming into politics, I was a university lecturer. When I worked for a living as an academic, I lived in a community where I became very interested in co-operatives—not the normal, retail co-operatives that everyone thinks about, but individual co-operatives of owner-workers who owned their businesses and operated them. It became quite a hobby of mine and I initiated a great deal of work in the field. I was keen on that sort of industrial enterprise, because the notion of people owning their own enterprise and investing and employing people in the local community always attracted me. My relationship with the broader co-operative movement as time went on and I became more active in politics is on record.

Today's debate, however, is on a subject that I care deeply about: the diversity and sustainability of local communities. The community that I represent, and which most colleagues from all parts of the House would want to represent, is a diverse and sustainable community that boasts its liveability. We all have an idea of what that means. I was trying to work out what I aspire to for my town and my constituency. In a sense, perhaps, it involves harking back to the past, but there are still many towns with a thriving mix of independent shops—butchers, fishmongers, newsagents, pubs, bookshops, greengrocers and family-owned general stores. Most of us, if we have a community where that exists, are pretty happy about it. Increasingly, however, we see the enormous power of supermarkets to move into towns and cities and take over their retailing.

I shall describe the situation in this country. Some 75 per cent. of the market in food is dominated by four retailers. The four big supermarkets dominate the food industry in this country, which has implications in terms of supply—where they get it—and in terms of their enormous power over British farmers, consumers and, I have to say, elected local authorities. Once one has dealt with a great supermarket that wants to expand into one's town or constituency, one realises the sophistication of the process and the efficiency of those organisations. Nothing I say today is to denigrate the efficiency of the great supermarkets; in fact, one real problem is that they, of all our industries, are absolutely world-class. They absolutely know what they are about. When one of those supermarkets decides that it is going to be the dominant retail player in one's area, it moves in a way that would bring credit to any military operation anywhere in the world. They are the finest, and one can understand how they work.

I want to use the debate to dispel a myth: that co-operative retailing started in a place in Lancashire called Rochdale. Everyone claims that the first co-op shop opened in 1844 in Toad lane, but actually, we in Huddersfield had a number of co-operative shops well before that date. A man called Thomas Firth, from Huddersfield, could only go around the country talking to people about the wonders of the co-operative commonwealth if a hall accommodating 1,000 could be found. He is buried in Trinity church in the centre of Huddersfield. In those days of the co-operative commonwealth, it was believed that one owned the shops in one's community. In Huddersfield, it was said that there were more than 100 co-operatives. If one stood on the top of Castle hill, one could see 100 communities with their own co-operative shops.

I do not want to go back to a golden age, but I do worry, because when one looks at a town, one wonders where the wealth is going. Mr. Atkinson, you and I have known each other for a long time, and people accept that I am not known as the most left-wing member of the parliamentary Labour party, but when we get down to the fundamentals, we have to ask: what happens to the wealth of our communities?

Going back 100 or 50 years, towns such as Huddersfield had many more local businesses. Huddersfield is often used by television and radio people because it is the average town in England. If one looks at us in a triangle, we are two thirds of the way up the centre of England, halfway across the M62 between Leeds on one side and Liverpool on the other, we have the average number of migrants, and our education and skills performance is average rather than awful or excellent. Many people do programmes about Huddersfield being the average town, but that average town has changed dramatically over the years that I have been its Member of Parliament.

Gone are the days when ICI employed 6,000 people, and David Brown, Brook Motors and a range of manufacturing companies employed most people. Today, the largest employer in my constituency is the university of Huddersfield. In the local authority area of Kirklees, health and education are the biggest employers in terms of numbers, but in Huddersfield, it is the university. The beauty of, and my great luck in, having a university in Huddersfield, is partly down to a former Member, Harold Wilson, who was born and brought up in Huddersfield. He did the town one enormous favour: he gave polytechnic status to what is now the university of Huddersfield. It has grown into a university that employs 6,000 staff, has 25,000 students and was voted the new university of the year last year. It is a vibrant and important part of our community. Indeed, its chancellor, Patrick Stewart, the well-known Shakespearean actor, who is also from Huddersfield, celebrates the fact that the university brings more wealth into the town and keeps it in the community.

On the one hand, there is a history of co-operation and small co-operatives keeping business in the community; and on the other, the university also plays that role. But I want to compare that with what the big supermarkets do. We have all the big four supermarkets in Huddersfield, and as we know, in this country, £1 in every £7 is spent in Tesco. That is true of my constituency, and if we add to that statistic Sainsbury's, Asda and Morrisons, we can imagine just how much money is spent in all the supermarkets. Most managers in those stores have on average about £5,000 to give back to the local community directly—a bit to charities, local efforts and so on. I have often presented computers for schools for Tesco, but I have done so always in the knowledge that Tesco is not giving vast amounts of money to schools, but

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promoting its own products. The coupons and vouchers are not given away; they are a percentage of the money that is spent in the store.

There is a real problem with the power of supermarkets in our communities, because most of the money that is spent drains straight out of the community and straight out of the town. It goes on wonderful salaries for the leading members of the corporation. Sir Terence Leahy earns £20 million a year with share options, and Dame Lucy Neville-Rolfe—they all have knighthoods or are dames—is on £2 million a year. I understand that they are very well remunerated indeed, but not their employees, most of whom are employed part-time. Their average salary is about £11,500 a year. They are not wonderful salaries. Sir Terence Leahy earns 415 times more than the average Tesco employee.

What worries me about that is the effect on the community. The community does not benefit from any reinvestment in its town or even in its region. In Yorkshire, we have 10 major campaigns against Tesco developing mega-stores in or around—usually outside—the main shopping areas of towns. We have a particular problem in Huddersfield. As I said, when one comes up against Tesco, it is like meeting a fine military operation. First, the small Tesco shops open up on every entrance and roadway into a town. They have different names depending on their size. The smaller stores are the Metros and the very large ones are Tesco Extras. Even a small community such as Dalton, which is in the heart of my constituency, has a Tesco in Long lane, one in Broad lane and a one-stop-shop in Mold Green. Just around the corner, a 24-hour shop has opened, which gives an enormous percentage of retailing to Tesco. At the moment, the worry is that a massive Tesco Extra will open.

Many people believe that Tesco Extra is just another food shop. They say, "Why are you so concerned about another Tesco? It is just another big supermarket." However, that is not the case; it is a department store. Between 50 and 60 per cent. of the goods sold in a Tesco Extra will not be food. They will be white goods, cookers, televisions, hi-fi systems, clothes and anything that a household needs. In other words, everything anyone else sells in Huddersfield will be sold in Tesco Extra.

The new store is not to be built in the centre of the town. We have a ring road around Huddersfield. Over many years, I have been part of an organisation that encourages people to invest in the town centre. In order to get anchor tenants in our lovely Kingsgate shopping centre, we have had to beg, and wine and dine potential investors. We have been successful in pushing Huddersfield up the list of desired shopping destinations in Yorkshire. We have said, "Come into Huddersfield. Invest in Huddersfield and we will look after you by giving you good sites and all the rest and you will add to the lustre of our retail effort." The present application is for a site outside the town centre. The store will take up to 100,000 visitors a week, and it will be outside the town centre, so they will not be walking past the other shops—the little shops.

Mr. Brian Binley (Northampton, South) (Con): I congratulate the hon. Gentleman on securing the debate. I thoroughly support the main thrust of his argument. I am concerned, however, with the robustness and health of town centres and the fact that independent retailers, which are so vital to their well-being, have been driven out. We cannot stop the march of supermarkets. In fact, I use them myself, and I am sure that everyone in this Chamber does. They have provided a massive service to the people of this country. However, we should encourage them to develop a code of practice, help to start small businesses and do something about loss leaders. I wonder whether the hon. Gentleman will address those points quickly, because they are the ones that count.

Mr. Sheerman: I was just coming to those points, but I wanted to get this description quite clear. When a large retailer—I cite Tesco because it applies to my constituency—comes into an area, they have enormous power and experience. However, I wonder whether officers in small local authorities—or even substantial ones such as my own—are experienced enough to deal on an equal basis with a massive company that has made planning applications and built up stores in many other places. Also, I have worries about local democracy and the planning process. In my own patch, there is a strategic agreement between Tesco and the local authority that is secret; it is commercially sensitive. There is no way of knowing what the deal is between the organisation and Kirklees council, which is a Conservative-controlled council supported by Liberal Democrats—I am not trying to make a political point. The fact is it is a secret agreement. While this secret agreement exists, people are applying for planning permissions within the town.

The Queensgate centre, which is favoured by the local authority, is in the town centre. The extension to the Kingsgate centre, which is not favoured by the local authority, is also in the centre of town. At the same time as decisions are being democratically made on those issues, the local authority is already in bed with, or closely associated with, a supermarket that is going to make an application for a different site outside the town centre. One might say, "What a wonderful deal for Huddersfield because they are going to build a supermarket on the site of a couple of 1970s blocks of flats and the Huddersfield leisure centre." We are told that we will get a new leisure centre. Perhaps we will, but the deal is highly suspect.

An organisation comes along and asks for planning permission—under section 106 or whatever—and they get it. Not only is there a secret agreement between the local authority and the supermarket, but there is also an inducement, in the form of a leisure centre, to get that planning permission. I am very dubious about that sort of agreement, especially as there is a perfectly good store in the town centre and Tesco will get planning permission for a whole area of the town that will include a new hotel and residential properties. There will be a bit of social housing in that, but overall the deal looks extremely favourable to Tesco.

Over the past 11 years, the Government have failed to recognise the real power of monopoly in retailing. I have seen the power of monopoly in many areas of retailing; it is not just about supermarkets. Supermarkets are a particularly sensitive issue because of their impact on the versatility, sustainability and diversity of our towns and cities. We can see that shrinking all the time with international global brands replacing local businesses. It happened in Cambridge. I believe that the local authority has given planning permission to Tesco in a beautiful part of Cambridge. I know that many people campaigned against it. This monopoly of supermarkets has grown in a stealthy way. The Government have been remiss in the way that they have reacted. When the Office of Fair Trading referred the grocery market to the Competition Commission, the commission said:

> "The retail sector will be less innovative due to lack of independent businesses that evolve through natural competitive pressure. Needs of people in local areas will not be met due to a loss in locally immersed businesses. Access to affordable healthy food will deteriorate. Regular social contact will be lost for certain members of the community, thereby entrenching social exclusion. Citizens will become less devolved from the decision making process surrounding planning policy in the areas in which they live, due to the growing dominance of large retailers over local Governments and councils."

I raised this debate today for the best of reasons. First, my constituency, my town and my community is under threat from an unwelcome expansion of one major retailer that already has a dominant position in the town. Secondly, unless the Labour Government wake up to the fact that such a monopoly dominates the lives of the individuals in this country, we will be seen as not having stood up for their rights. The amount of power that such companies have is no longer acceptable. We know what has happened in the past in the United States: monopolies have been taken on and broken up. We have a positive power to do something in this country, but we have not used it. Most of the mechanisms that we used have been limp-wristed.

I call on the Government to wake up to the fact that one of the big issues in the next two elections will be the power of individuals in communities to stand up to the power of those remote people. They are global companies. Money from our towns not only flows into the salaries of the boards of directors, but to institutions well beyond our communities and this country. There is something fundamentally wrong with British society when the Government do nothing to temper or curb the power of monopoly. Monopolies need to be taken on—even the former Conservative Government saw the power of the brewing chains' monopoly in public houses, and powerful action was taken by Lord Young. The United States took on the big energy companies and forced them to break up. At the moment, we cannot even take on one of the most pernicious monopolies—BAA—which provides the rotten service in so many airports that we must all put up with. It is time the Government realised the power of monopolies and how vulnerable communities and individuals are, and did something about the problem.

11.21 am

The Minister for Employment Relations and Postal Affairs (Mr. Pat McFadden): I congratulate my hon. Friend the Member for Huddersfield (Mr. Sheerman) on securing this debate. The Under-Secretary of State for Business, Enterprise and Regulatory Reform, my hon. Friend the Member for Harrow, West (Mr. Thomas), who has responsibility for consumer affairs, is out of the country on Government business today, but I shall do my best to respond to the important points raised by my hon. Friend the Member for Huddersfield.

Supermarkets are an important part of life in our country. We all have them in or near our constituencies—I have a Morrisons, an Aldi, a Lidl, a small Tesco and a large Waitrose in mine. My hon. Friend talked about supermarkets' work in communities and I believe that they do good work. In my constituency, Tesco has given money to a pensioners link line and Waitrose does good work with the Graiseley primary school. It is important, as my hon. Friend stressed, that such businesses are good citizens.

My hon. Friend raised many issues about his own constituency, Tesco and the plans that are under discussion. I am sure he will understand if I do not comment on the detail, given that the proposals are likely to be subject to the planning process; indeed, he would not want me to do so. If an application is made along the lines that he described, the local authority might have to refer it to my right hon. Friend the Secretary of State for Communities and Local Government, so it would be wise not to get drawn too much into the pros and cons of the issue now, lest it prejudice any future decision.

My hon. Friend's description of monopoly power reminded me a little of a film we all watch at Christmas—"It's a Wonderful Life", starring James Stewart. I cannot remember the name of the character who, in effect, owns the town—perhaps other hon. Members know—but I was reminded of him when my hon. Friend described the effect that a monopoly or near-monopoly influence can have on an area.

As a society, we probably have dual views on supermarkets' power and small shops. Supermarkets have brought us huge advances in convenience, price, even if there are some issues with that, and choice, because we can choose from thousands of retail lines within one store. However, we also like small shops. We might like to do our major fortnightly or monthly shop in a big supermarket, but in between we like to buy bread at the local bakery or go to the butcher and the small grocer. I am not sure that we should always see the issue in terms of conflict, although I suspect that I might if I were a small retailer. As a society, however, we want both the choice that the big supermarkets represent and probably also the choice represented by small shops in specific cases.

Mr. Binley: Is there not much more that we can do with the supermarkets collectively on issues such as the code of practice on a self-regulating basis? There is a real need, as has been mentioned. Are the Government thinking in those terms?

Mr. McFadden: As my hon. Friend the Member for Huddersfield said, a structure involving the Competition Commission, the Office of Fair Trading and so on ensures that markets operate properly.

My hon. Friend was right to say that the four or five biggest supermarkets wield considerable power. The eight largest retailers account for about 85 per cent. of total grocery sales, with the four largest accounting for about two thirds. Collectively, that is big power.

There have been some inquiries into supermarkets, and the Competition Commission report, to which my hon. Friend referred, explored some of the issues just a few months ago. It found that the grocery market in general was delivering a good deal for consumers, but it identified two areas of concern. The first is that several

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grocery retailers have such a strong position in local markets that it could lead to a poorer retail offer to the consumer, and my hon. Friend touched on that point eloquently. The second area of concern related to the transfer of excessive risk and unexpected costs to suppliers—the relationship between supermarkets and suppliers is, of course, critical—through practices that the commission believes adversely impact on investment and innovation.

What are the remedies for the concerns that have been highlighted? The commission has proposed several, including restrictive covenants and exclusivity arrangements on land sites, which it has the power to implement. Large grocery retailers will be required to notify the Office of Fair Trading of all acquisitions of large grocery stores. In addition, the commission has recommended to the Government that a competition test be adopted and that the OFT act as a statutory consultee in the process. On the supply chain, the commission will establish the grocery supply chain code of practice.

Mr. Sheerman: I know what the Competition Commission said, but what I want to know is what the Government will do about the monopoly—the Minister admitted that large retailers account for more than 80 per cent. of the market, which is a monopoly. What are the Government going to do to break up that monopoly? Why can we not start taxing supermarkets so that the tax can flow back into communities to regenerate them? He has not answered that question. All that wealth is going out of communities. What are we going to do to put it back in?

Mr. McFadden: I am not sure that I accept some of what my hon. Friend has just said. Supermarkets, of course, pay tax—they are major businesses and they pay tax. Whether we are talking about a monopoly is also something to be debated. I said that we were talking about big power, and it is big power when four or five chains are in the position that they are. Whether that is a monopoly, however, is subject to debate. Nor do I accept that all the wealth goes out of the community. We are talking about major employers, which employ hundreds of thousands of people. My hon. Friend says that the wages are low—

Mr. Sheerman: They are.

Mr. McFadden: Actually, those jobs often offer paid leave, contributory occupational pensions and benefits that are quite attractive to employees, as well as flexible hours. I do not think that the picture on employment is entirely bleak.

There will always be contested views on this issue. As a society, we want the small shops with their character and we want the convenience of the large supermarkets—we want both. Whatever the regime, I suspect that that will remain the case.

11.30 am

Sitting suspended.

Post Office Closures (Mid-Wales)

2.30 pm

Mr. Roger Williams (Brecon and Radnorshire) (LD): It is always a joy to serve under your chairmanship, Mr. Atkinson, although I wish I had a more joyful subject to debate. I have called for this debate many times over the past months but, unfortunately, I have not been able to achieve it. This is a little bit late in the day in respect of the consultation on post office closures in mid-Wales. We anticipate an announcement next week. Some news has broken already, and I may mention that in passing during my contribution.

My hon. Friends the Members for Ceredigion (Mark Williams) and for Montgomeryshire (Lembit Öpik) also feel strongly about this issue. I am aware that other announcements have now taken place in Wales regarding post office closures, so other hon. Members from Wales may wish to be involved in this debate.

The previous programme of planned post office closures, which related to urban areas, was titled "Post Office reinvention", which was a misnomer if ever I heard one. As far as the Post Office is concerned, an urban area is defined as an area with more than 10,000 people in one settlement or contiguous settlements. Such is the rural nature of my constituency that only three out of the 56 post offices then open were considered urban and were caught up in the reinvention programme. Those were all in the Ystradgunlais area, which is an old coal-mining community in my constituency that has suffered in respect of its economy and its ability to generate employment ever since the mines closed. That area should have been looked after a little bit better. In the end, we saved one of those post offices, but the one that was closed was probably the one that should have stayed open, because it was in the most deprived area. So when we approached the next planned closure programme, we did not really have much confidence that, if we opposed the closure of post offices in our area, the ones that were closed would have the least impact on our communities.

The consultation exercise in 2006 took place prior to the current closure programme. However, it was difficult to engage in that consultation, because people had to read a relatively thick consultation document and then fill in a pro forma to address the issues raised in that document. A number of people felt that they could not engage in that process. Despite the fact that there were only about 160 responses to the formal consultation in Wales, 40 of those came from my constituency, where I set about ensuring that the people whom I represent made the most of the opportunity. We also submitted 220 responses to our own consultation document, which was easier to complete, with the formal consultation. People were concerned about the criteria for post offices in rural areas. Some 95 per cent. of people living in those areas should be within three miles of a post office, but that means that 5 per cent. of people, whatever their age or capacity to access post offices, could live more than three miles away from one.

In my most pessimistic frame of mind, I looked at the relatively large centres of population in my constituency—Llandrindod Wells, with about 5,000 people, and Brecon, with about 8,000—and noticed that a post office in one of those places, with about eight others, might meet the 95 per cent. criterion. My most pessimistic view then was that we were in for a wholesale closure of post offices. Our contribution to that consultation made little or no difference, because the closure programme went ahead as set out in the consultation document. It seems to me that our representations had no particular effect.

The announcement of the post office closures in mid-Wales under the current closure programme was made on 11 March 2008. By that time, we had been running a campaign to alert people to the possibility of post office closures and distributing postcards to people to be filled in and returned to us so that we could pass them on to the Prime Minister himself in No. 10 Downing street. By 11 March 2008, we had received 2,500 postcard responses. To date, we have received 3,500 postcards from a constituency population of about 50,000. So hon. Members can see the concern and affection. Affection is an emotional term rather than an economic one, but that is how people feel about their local post offices and the contribution that they make to local communities. Furthermore, the postcard campaign required action on the part of my constituents. In many campaigns, people just have to press a button on the web page, hit the "send" button or sign a petition. Petitions are valuable, but with our campaign people had to buy a stamp, stick it on the postcard and send the postcard to me. So people responded actively.

The public consultation has now closed and the Post Office is reviewing the submissions that it received. Probably all the postmasters and postmistresses involved in the process have now been informed of the outcome, but unfortunately some have broken cover and revealed it. That makes it difficult for other postmasters and postmistresses who have kept the confidence, because if their customers ask what the outcome of the consultation is, they will be in a difficult, embarrassing situation. I regret the process that has taken place.

Lembit Öpik (Montgomeryshire) (LD): Does my hon. Friend recall that something similar happened at an earlier stage in the consultation process? That makes it difficult for those of us who respect those confidences, which must be respected, to do our jobs properly. Does he agree that it is time that some sanction was imposed on people who make it virtually impossible for us to conduct our business simply because of their selfish desire to spread confidential information prior to an embargo being lifted?

Mr. Williams: It certainly makes it difficult for us as representatives of the area, if we do not know what is happening and others do.

Mrs. Cheryl Gillan (Chesham and Amersham) (Con): I congratulate the hon. Gentleman on securing this debate. He knows that this issue concerns us all, no matter where our constituencies are in the country. It has been brought to my attention that certain post offices know already that they have been reprieved. I did not think that information was embargoed, because my office managed to obtain it quite readily. Will he tell us when the information is embargoed until, because I was proposing to congratulate one of the post offices in his constituency that will remain open? I do not want to contribute to breaking an embargo, but I thought the information was freely available in some instances.

Mr. Williams: I contacted the Post Office yesterday, when probably the same information that has come to the attention of the hon. Lady was brought to my attention. The Post Office told me that it had contacted the postmasters and postmistresses whose businesses were under review earlier this week and informed them of the outcome. Members of Parliament and Assembly Members who represent affected areas will be officially informed on Friday, and the public statement is to be made next Tuesday. I shall not make a big fuss about the embargo, but it makes the business today a bit more difficult.

Once the Post Office has considered the representations and submissions, the final announcement will be made about those post offices that will be kept open, those that will close and those that will host an outreach service in the form of a mobile service—in other words, a postal van will be in the area for a few hours each week in place of the post office that previously served the area. Some post offices will provide a hosted service, which involves providing the services of a post office in alternative premises, such as a pub, a community centre or a shop.

In the third round of Welsh closures, six post offices were earmarked for closure in Brecon and Radnorshire. It is proposed that out of a total of 54 post offices that are still open, eight should switch to an outreach service. Out of those eight post offices, it is proposed that five should become mobile services and the other three should become hosted services. The five post offices that have been targeted for mobile services will receive a collective post office service of 26 hours a week, and the three listed for hosted services will have a post office service of just eight hours a week.

Two post offices are listed for closure in Brecon, which means a town with a population of roughly 8,000 people will have just one post office. It is also proposed that two post offices in Llandrindod should close, which, again, will mean a town of more than 5,000 people will have just one post office. One post office is earmarked for closure in Evenjobb—a remote village near Presteigne—and we now have information that that closure has been confirmed. Another proposed closure would affect Cwmgiedd, a small village community in Ystradgynlais. In total, 14 post offices will be affected in my constituency. I would like to mention each one, but because of the time and because I can see other hon. Members want to make a contribution, I will keep this as short as I can.

Both Llanfaes and Pendre post offices in Brecon are open 46 hours a week and have a large number of customers who are over 65 years old and who suffer from limiting life-term illnesses. The nearest alternative post office is not far away, but it is situated amid hilly terrain on which it is difficult to walk. The existing branch in the middle of Brecon is crowded, and it is estimated that a minimum of 500 additional customers will now have to use that post office. I often use it, and during the middle of day I have queued for upwards of a quarter of an hour or 20 minutes to be served. Another 500 customers will be directed to that post office, if the closures take place. The people who use both Llanfaes and Brecon post offices have put in substantial submissions to keep them open, and we wait to hear the outcome.

Mrs. Gillan: I confirm what the hon. Gentleman has said. When I went to Llanfeas to meet Karen Weale, a continuous stream of people queued up to use the post office, and there was not a spare minute in the day. Similarly, when I met Jay Vakil in Pendre, the post office was in constant use. Losing either or both of those post offices would be a disaster for the local community.

Mr. Peter Atkinson (in the Chair): Order. May I ask the hon. Lady to address the Chair, because the *Hansard* reporters cannot easily pick up her comments?

Mr. Williams: I thank the hon. Lady for her comments. It is good that this is not just the subjective opinion of the local Member of Parliament, but that it has been validated by other distinguished hon. Members.

I shall now turn to the two post offices in Llandrindod earmarked for closure, both of which are open for 46 hours a week. Although the alternative branch is not far away, it is not situated in the easiest terrain for less able people—it is about a 25-minute walk and there are no regular buses. The additional 300 to 400 customer sessions that would have to be served by the remaining post office would put great pressure on that facility.

The good news is that we understand that the Tremont road post office has been saved. I can safely say that because it is on the front page of *The Brecon and Radnor Express* today—a fine organ in my constituency that keeps the public aware of what is going on. I can also see representatives from the *County Times* sitting at the back today, which is a fine organisation too. I am pleased that Tremont post office has stayed open. It is run by an energetic couple who also run a good shop. I am pleased that such a facility will be available at that end of Llandrindod Wells. I pay particular credit to the community that lives in that area and uses the facilities that the post office provides. It is not the richest community in my constituency, and its needs are great. That community responded to the consultation and to my postcard campaign—huge quantities of postcards were sent back to me. That campaign alerted the community to the seriousness of the proposals, and as such we have had lots of responses. We now wonder whether Ridgebourne will remain open in Llandrindod Wells. Sadly, Evenjobb has received notice that it will close.

A number of other post offices have also received huge support, including Erwood and Llyswen in the Wyre valley. We have had two fantastic public meetings to drum up support for those post offices. Indeed, the ability of people to get to other facilities to obtain cash is limited, and the public transport system is not of the highest order. The proposal to have a mobile service has not been received well by the local people. Indeed, Erwood is in a dangerous position on a trunk road in the middle of a village. The situation in relation to Erwood is entirely unacceptable.

In Llyswen, the proposal is to place the mobile facility outside the shop where the post office is sited. I cannot understand the logic of that. If the post office closes, the likelihood that the shop will be put under economic pressure greatly increases. The synergy between the shop and the post office is what keeps many villages going and provides the services that people desperately need.

Gladestry has been offered a service for two hours a week in the village hall. The postmaster there wants to retire, and although the village is not entirely happy with the situation, it is more accepting than some places. However, it is a very remote area. I was present when the Post Office unveiled a cash machine in Llanbister post office not long ago. We thought that that was a good news story, but it was not entirely so.

Mrs. Gillan: If we look at the post offices where an outreach service has been proposed, we see that some services are for nine hours, some for four hours and some for two hours. The irony of the van spending nine hours outside the shop where the post office used to be is not lost on me or anyone else. Does the hon. Gentleman know how those hours were arrived at? Also, what consultation of the local community has been conducted? Presumably, when the service is for only two hours, it will be on a certain day of the week, which may not be convenient for some of the residents who normally use the post office service.

Mr. Williams: The hon. Lady has raised another point. During the consultation, I asked how it was decided which villages would receive a mobile service and for how long and which would receive a hosted or a partner service. There was a considerable amount of sucking of teeth and stroking of chins at that point. I put it to those people that probably the defining factor was trying to get the maximum use out of the mobile facility, not what was best for or would have been most appreciated by that community.

Hywel Williams (Caernarfon) (PC): There are not only consequences in terms of convenience for local users, but consequences for the people providing the service in the van. During the trial run in my constituency, the person supplying the two hours a week in various communities found that he could not make a business out of the hours that he was granted.

Mr. Williams: My hon. Friend the Member for Ceredigion (Mark Williams) may be able to refer to a similar experience.

Mark Williams (Ceredigion) (LD) *rose—*

Mr. Williams: I will resist giving way, because I want to get on and because other hon. Members want to speak. This is a long and sorry tale, but I will try not to take up too much time. The hon. Member for Chesham and Amersham (Mrs. Gillan) has raised an important point that I will consider in relation to Llanwrtyd Wells, which claims to be the smallest town in the UK. It was the location of the composition of "Sosban Fach", a song that is often sung at rugby internationals, and it is the site of the man versus horse race. Many enterprising things are going on Llanwrtyd Wells, but there is a proposal to close the post office, which residents see as an affront to their status as a town. The lady in question wants to retire—one problem is that some postmasters and postmistresses want to retire.

The proposal to substitute for the post office a mobile service for nine hours is unacceptable for a number of reasons. A minor one is that the suggested site is a very steep car park. It gets icy during the winter and it would be dangerous for pensioners and older people to access. If the post office has to close—my wish is that it will not close—it would be much better for the service to be hosted by an existing facility in Llanwrtyd, such as a shop or the tourist information centre, which is no longer run by Powys county council but by a private operation. If the post office, or what is to be substituted for the post office, were in one of those facilities, those facilities would be more likely to remain open. We sincerely hope that the conclusion is a hosted or partner service rather than a mobile service.

I have talked about Llyswen and Erwood. Merthyr Cynog will have a mobile service, and Pantydwr will have a hosted service. For a rural area such as mine, the number of closures could create real difficulties in relation to village life and the sustainability of rural communities. A 2005 Postcomm survey suggested that 91 per cent. of people believe that post offices play an important role in their community. An article in *The Daily Telegraph* in March 2008 estimated that half of the 2,500 post offices earmarked for closure double up as village shops. The post office is often the last shop in the village, in which case the closure of the post office rings the death knell for the shop as well.

Although our campaign to keep those village post offices is drawing to a close, the next campaign is already beginning, because we see it as a real challenge to keep open the post office network that will remain after the closures that might take place. I call on the Minister to ensure that the Post Office has the ability to advertise the services that it provides. At some of our post offices, postmasters have posted handwritten signs outside their post offices to show that they still issue car tax discs. Surely we can have a system to inform people that the Post Office has not withdrawn from that service, as it has had to withdraw, unfortunately, from the television licence service.

For example, I run a small business, a farm, and every week I have to write a PAYE—pay-as-you-earn—cheque for my employees. I used to send it to some anonymous office in Shipley, from whence I received no further communication as to whether it had arrived or not. Now I realise that I can deal with that at a post office and get a receipt, so I have a record. We need to alert the public to the fact that such facilities are available in post offices, in which case we will stand a chance of keeping some of them open.

This is a sad day for mid-Wales, for Brecon and Radnorshire and particularly for the elderly. I am told—I do not know whether this is true—that the total saving in relation to the closure programme for the 2,500 post offices is £48 million. It is an awful lot of grief and worry for people not only in Brecon and Radnorshire but throughout the country for a £48 million saving. I do not know whether the process, which must have been costly in terms of staff and time, justifies that.

You have been generous with me, Mr. Atkinson, as other hon. Members have, but what I have said needed saying. The Government seem to have given up on rural communities and rural Wales, and it is vital that the remaining post offices in mid-Wales continue to operate and that we do not face further closures in the future.

Several hon. Members *rose—*

Mr. Peter Atkinson (in the Chair): Order. Before I call the next speaker, may I remind hon. Members of the

[Mr. Peter Atkinson (in the Chair)]

time? We have just over half an hour for Back-Bench contributions, so to allow everyone to speak, I urge hon. Members to be reasonably brief. I call Hywel Williams.

2.58 pm

Hywel Williams (Caernarfon) (PC): Thank you, Mr. Atkinson; I will take your injunction to heart. I congratulate the hon. Member for Brecon and Radnorshire (Mr. Williams) on securing the debate. It is an important, if slightly unglamorous, debate, covering the bread-and-butter issues that constituency MPs deal with every day. Clearly, such a debate cannot compete with the glamour of the debate in the main Chamber, as not a single member of the Welsh parliamentary Labour party is here. Presumably, those hon. Members are in the main Chamber, vying with one another to contribute to the debate on volunteering—or possibly not. However, this is an important issue, pertinent not only to mid-Wales but to all of rural Wales.

The point that the hon. Member for Brecon and Radnorshire made about rurality being defined in terms of populations of under 10,000 people is very important for my constituency. Not a single town in the constituency of Caernarfon has a population of more than 10,000, so I assume that all of my constituency is defined as rural, which would come as a surprise to some of the town dwellers.

Rural Wales faces a profound challenge. I will mention only in passing such challenges as the Government's decision to grant greater tax relief in relation to capital gains on holiday homes. That will have a strong effect on that market. The Joseph Rowntree Foundation report published just today on housing in Wales shows that there are 18,000 empty houses, while at the same time homelessness in rural Wales is up sharply. Houses in rural Wales typically cost five time average earnings. That is a truly shocking scenario. The challenge to life in rural Wales is clearly substantial, and it will become more substantial—the situation is even more dangerous—because of the Post Office proposals. They not only affect post offices in mid-Wales, but will extend to north Wales as a result of the consultation that is under way, which I understand will report at the end of July.

I shall not go through all the arguments. They are fairly familiar, as such debates are held regularly in this Chamber—indeed, I have contributed to a number of them. However, it is worth quickly restating some points. For instance, rural sub-post offices are focal points for the community; they pay pensions and benefits and provide all kinds of vital services—not only shopping, but basic information and social contact for local people. Some of those services are not commercial; some are. The commercial ones might not be viable without the post office element, such as the one at Llyswen referred to by the hon. Member for Brecon and Radnorshire.

In my constituency, we have a sub-post office that is clustered with a couple of other shops. I believe that those shops depend on each other to attract custom; without the post office, there would be a serious threat to the viability of the other shops that crowd into that parade, which is in a nice area in the north of Caernarfon. It is not only post offices that are under threat; their closure will also affect newsagents, small grocery stores and so on. The area will be less attractive for shoppers. Closing the post office can have a domino effect on other local shops. We should also be aware of the multiplier effect, which has been mentioned a number of times, as people who claim a benefit or draw money from the local post office tend to spend it locally. That pound circulates more widely and has a much more beneficial effect on the local economy.

Between March 2001 and December 2007 in Wales, 258 post offices closed, many of them in rural areas in mid and north Wales. That is about 19 per cent., or nearly one in five. As I said, a consultation is taking place in north Wales and we expect a number of post offices to be closed. Some of them, I suppose reasonably, will close because people will want to retire and put their business up for sale, but I am sure that some will be closed in the teeth of local opposition. I hope that the Minister will assure us that the Post Office will listen to local opinion when the consultation is held in north Wales.

As I said in an intervention on the hon. Member for Brecon and Radnorshire, mobile post office vans have been introduced in my constituency, which is in a particularly rural part of the Lleyn peninsula. That, of course, has led to diminished hours. It also raises specific questions about the business model. The provider of the van found that he could not make a business of driving the 50 or 60 miles while ensuring that someone minded the shop at home. At the same time, although some people accepted a service every two or three days, some found it insufficient.

Given the geography of rural Wales—and the deeply rural areas of England and the north of Scotland—the post office could be miles away. As the hon. Member for Brecon and Radnorshire said, the standard is three miles. However, 5 per cent. of people might be as far as six miles away from the post office. In rural areas where public transport, if there is any, might be scarce, travelling such a distance could be a challenge.

We are all aware that there is a green aspect. In areas such as Powys, which is represented by the hon. Member for Brecon and Radnorshire, it is not surprising that car ownership is at its highest—and incomes are at their lowest. Car ownership is sometimes seen as a measure of prosperity, but in Powys the car is a necessity. I am sure that the hon. Gentleman will agree that many families own one, two or even three cars in order to ensure that life in rural areas is viable. Cars are not a costly luxury, but a costly necessity. For such families, the withdrawal of the post office will be a further disincentive to live in rural areas.

Rural poverty is also an issue. Without doubt, lack of access to good services is a major component of poverty. That is recognised in the index used by the Welsh Assembly Government to measure deprivation and poverty. Remoteness is another factor. The closure proposals will exacerbate rural poverty on such measures.

One might think that some of those bad effects could be countered by the introduction of new technology and that people could perhaps use services online. I draw the House's attention to a report published yesterday, which shows that in rural areas broadband access is not easy to obtain because of what are called not-spots, although BT claims that only 1 per cent. of Wales has not-spots. None the less, I seem to have many of them in my constituency. For example, one cannot receive broadband in the village of Rhiwlas but gallingly one can see Caernarfon and Bangor on the coast from there as it is high on the side of the hill. One can see areas where people have not only good access to shops but broadband.

We may have not-spots, but significantly yesterday's report also noted that broadband speeds in Wales are about half those in London. I have no technical expertise in these matters, but I believe that as a result it is more difficult to use broadband for all kinds of services, not least receiving television pictures—but that is another matter. Such things have a significant effect on the viability of living in rural areas. Local businesses in my constituency that use the post office and might use broadband instead will have to think again, because of the difficulties of working online.

The rural-urban split is deepening, as life in much of Wales becomes more and more unsustainable. The Government's policy should be to ameliorate that divide, not deepen it, as a perhaps unintended consequence of that deliberate and unwelcome policy.

3.7 pm

Mr. David Jones (Clwyd, West) (Con): I am aware of the shortness of time, Mr. Atkinson, so I shall be brief.

I congratulate the hon. Member for Brecon and Radnorshire (Mr. Williams) on securing this important debate. I also have a good word for the Minister. Of all the poisoned chalices on offer in Westminster, he seems to have drawn the most unpalatable. It is a credit to him that over the past few months he has been at one debate after another attempting to defend the indefensible. I remember the mauling that he suffered in March in an Opposition day debate on the subject. It must be difficult for him to undertake his present role. Nevertheless, I believe that the hon. Member for Brecon and Radnorshire was right to invite the Minister to come here again this afternoon to take another mauling from Welsh Members.

The hon. Member for Brecon and Radnorshire has already mentioned the particular difficulties caused by the remoteness of his community. Mid-Wales is a part of the country that I know only too well. My wife comes from mid-Wales, and I can certainly attest to the area's remoteness. I sometimes wonder how I ever found her, but find her I did. In many respects, the hon. Gentleman's constituency resembles mine. It is one of scattered villages, many separated by hills and rivers. That is where the Government's access criteria fail. The three-mile radius is meaningless when one considers the topography of mid and north Wales. One cannot travel as the crow flies there. The damage being done to communities in the rural parts of Wales by the closure programme, as the hon. Member for Caernarfon (Hywel Williams) pointed out, is significant.

Very often, the post office is literally the only business in the village, let alone the only shop. There are villages in my constituency, as I am sure there are in the constituency of the hon. Member for Brecon and Radnorshire, where the post office is also the shop, and it might also be a small guest house. As a composite, such a business is viable, but if one element is taken out, it becomes unviable. I regret to say that that is precisely what will happen in mid and north Wales and in other rural parts of Wales when the closure programme is completed.

Rural life in Wales is becoming increasingly difficult. We have seen school closure programmes, the effect of high fuel prices and now the effect of the Government's disgraceful tinkering with vehicle excise duty. It is becoming almost impossible to live a civilised life in rural parts of Wales, and the post office closure programme is doing deep social damage to the fabric of life.

When the Government tabled their successful amendment to the Opposition day motion, it was interesting that they recognised

> "the vital social and economic role of post offices, in particular in rural and deprived urban communities".

If they really do recognise the vital role of post offices, why are they presiding over such a draconian closure programme?

For many people in mid-Wales and other parts of Wales, the post office closure programme will simply be the last straw. Businesses will close across Wales, and the heart will be taken out of village communities, which will ultimately die. It is sad that the Government are presiding over this programme with apparent equanimity, seemingly oblivious to the social effects that they are inflicting on people in scattered rural communities. It is probably too late for the Government to think again, but I would like the Minister to reflect on the damage that has been done and possibly even to consider apologising for it to the people of Wales.

3.12 pm

Mark Williams (Ceredigion) (LD): It is a pleasure to serve under your chairmanship, Mr. Atkinson. I, too, am grateful to my hon. Friend the Member for Brecon and Radnorshire (Mr. Williams) for raising this important issue. The front pages of the *Cambrian News* and the Cardigan *Tivy-side Advertiser* in my constituency have yet to break any news, so I am a little in the dark as to where we are going on the issue. As Members, we wait with expectation for the announcement on Friday, as well as for the public announcement next Tuesday.

Like the hon. Member for Clwyd, West (Mr. Jones), I am in a reflective mood and I shall comment first on the consultation process. In all fairness, it has been a very thorough affair in my constituency. There have been a huge number of submissions to the Post Office about the changes to services in the 14 communities concerned. The Post Office management have shown willingness—although they were slightly reluctant on one occasion—to come and listen to local people's concerns. We have had public meetings, and about 1,200 people listened to the Post Office's case, as well as the alternative case that some of us put.

The sad reality, however, is that on more than one occasion the tone from the Post Office has been that it is a done deal and there is little opportunity to influence the course of events. That perception was not helped when the Post Office seemed to prejudge the outcome of the consultation. To give just one small example, the post office in Talybont, which is threatened with closure, had its parcel collection scheme removed because of the uncertainty about the post office's future. That may seem very small in the big picture, but it is a big issue for the community's small businesses.

We have used the opportunity of the consultation to clarify many of the Post Office's misconceptions about the reality on the ground. I still question how thoroughly

[Mark Williams]

the Post Office consultation team drew up its proposals, because they ranged from completely inappropriate locations for proposed mobile services—sometimes in very unsafe locations—to discussion of public transport services that simply did not exist or whose operating times did not tally with the opening hours of the recommended alternative branches. As other hon. Members have suggested, the proposals also referred to alternative branches that could, ironically, never cope with the increased custom, even if people were in a position to move from branch to branch.

Mrs. Gillan: Has the hon. Gentleman had any help from Postwatch in Ceredigion? Will he comment on what is happening with Postwatch? How will it be affected if it goes into a consumer council?

Mark Williams: I worry about Postwatch, and the hon. Lady is right to mention it. Postwatch's role in the process has been minimal, and I am very concerned about it. In some instances, Postwatch did not even come to our large consultation meetings, which is a real worry. In their many submissions, my constituents were quite wise to that fact.

We cannot overstate the significance of practical issues such as access to services and the lack of public transport. I represent a large county with 147 villages and hamlets, where rurality really does mean something. Ceredigion has 7,000 small businesses, which is more than any other constituency in the United Kingdom, let alone Wales. We are talking, therefore, not only about business opportunities for the person who undertakes the mobile van service, but about the great inconvenience to a large number of our small businesses, which are the backbone of the rural economy, and to the farming community. Another threatened post office, in the community of Pontsian, serves a large ward and 64 farming families. Again, small businesses will not easily be able to fit in with the van's limited hours.

I shall cite one more example to highlight the vagaries of public transport. The now infamous village of Llanddewi Brefi—it is a wonderful community—has a post office with an accompanying village shop. It has been asserted that when the van is not there, people will be able to access services in Tregaron—another delightful town in the south of Ceredigion. However, even if people had the good fortune to catch the bus to Tregaron, which is five miles away, they would either have to undertake all their business in 33 minutes flat so that they could catch the bus home, or they would have to wait two hours for the next service—and that is a pretty good service, compared with other public services in my constituency. The alternative would be to hire a taxi for the return journey, which would involve a £12 fare.

Sadly, as my hon. Friend the Member for Brecon and Radnorshire said, we are looking ahead to the next campaign. Like the hon. Member for Clwyd, West I shall reflect on the criteria set out by the Government. We were told at the numerous public meetings that the Post Office was the agent of the Government and of Government decision making, and that the criteria are a Government responsibility. However, there has been a complete lack of recognition of rural deprivation. Ninety-nine per cent. of the total population in deprived urban areas across the UK are to be within one mile of the nearest post office branch, but the same recognition has not been afforded to rural areas.

Ceredigion and the constituency of the hon. Member for Caernarfon (Hywel Williams) fall into the EU convergence funding—formerly objective 1—area for a very good reason. As he said, the National Assembly, through its communities first programme, has also recognised that they are areas of acute rural deprivation. Europe has recognised that, the Welsh Assembly Government have recognised it, but the Westminster Government seem not to recognise it in this instance. There is a widely held perception that the communities of west Wales, which are scattered and isolated, are being left to wither on the vine.

Over and above its initial criteria, the Post Office has said that it would consider the impact on local economies, but I seriously question how much weighting it has given to that critical factor. In many communities in Ceredigion—Talybont, Llanilar, Llangeitho, Llanddewi Brefi and Pontsian—the post office is integrally linked to the village shop: if one goes, the other will go too. I remain very concerned about the future viability of those businesses. I cite again the verdict of the Select Committee on Business, Enterprise and Regulatory Reform, which I realise the Minister heard yesterday in the debate on post office closures in East Devon. The Committee said that

> "there should be a presumption against closing a Post Office where this is the last shop in the village or in a deprived urban area".

We cannot overstate the significance of the post office in rural life. It is the last community social business in those communities. When the village school has gone and the chapel is boarded up the post office is the last thing left. Sometimes I think that we and the Government have been debating completely different cases; the social role of post offices has been neglected.

I know that the Minister is well versed in the many anecdotes that he has been and will be subjected to in past and coming months, but people such as Heulwen Astley, the postmistress in Talybont, and Ann Mayes-Davies in Pontsian, have served their communities very well, and, if given the opportunity, will continue to do so in future. The majority of postmasters and postmistresses I have spoken to in the affected areas are keen to carry on their businesses and do not want to join the exodus that others have talked about. They want their businesses to thrive, and they want support. I should have thought that if the Post Office was sincere about supporting those retail businesses it would at the very least have offered them an outreach facility. My hon. Friend the Member for Brecon and Radnorshire cited the example of the van parked outside the shop. Pontsian post office near Llandysul is a case in point. If the proposal proceeds, the van will be located outside that shop. What an insult to the years of service that the postmistress has given. Giving her the chance to have the outreach facility in the shop would at least guarantee footfall across the threshold.

I am conscious of the time, so I will be quick, but I want to ask the Minister the extent of his discussions, and the Post Office's, with the National Assembly Government, in the light of the announcement in January of the recommencement next year of the post office development fund, which did good work in its previous life. Another threatened post office in Ceredigion, Devil's Bridge, was one of those that benefited from the development fund. The branch received many accolades from the Post Office itself. Edryd and Jane Jenkins, the owners, have done a huge amount of community work, which has been acknowledged by the Post Office. They pioneered a service there with the Dyfed-Powys police, yet it seems that when the National Assembly starts its work next year, even in the communities first areas that it has defined itself, the post offices will already have gone.

Business has been taken from the Post Office over many years, such as the loss of TV licences. There is a continuing fear about the future of the Post Office card account. I hope that, as other hon. Members have said, notwithstanding the economics of the issue and the work that needs to be done to publicise future post office services and encourage people to use them, the Government will at least acknowledge the essential social role of post offices. The irony is that at a time when the Post Office is being branded "the people's Post Office", in Wales, practically and theoretically, it seems far removed from people's everyday lives.

3.23 pm

Lembit Öpik (Montgomeryshire) (LD): I, too, congratulate my hon. Friend the Member for Brecon and Radnorshire (Mr. Williams) on bringing this important issue to the fore once again. I ask myself to what end he has done that. To what extent are the Government genuinely willing to listen to the feedback that he, I and so many other Members of Parliament have tried to bring to their attention? Let us recognise that while the Post Office has indeed conducted a consultation its hands have been tied by the political judgment of the Government to go ahead and demand the closure of 2,500 post offices. I understand that in total more than 5,000 post offices have shut since 1997. That is a lamentable record when one considers the value of post offices to the communities that have lost them.

In advance of the comments of the hon. Member for Chesham and Amersham (Mrs. Gillan) for the Conservatives, and in response to the comments of the hon. Member for Clwyd, West (Mr. Jones), we have evidence about what happens when post offices shut. Communities shut down too. They become dormitories for larger local conurbations. Sadly, more than 4,000 post offices were shut under the reign of the Conservatives, so we need not look too far back to see the damage that has been done. I ask the hon. Lady, if she is minded to do so, to tell us what assurances we have that a future Conservative Government would perform any better than the present Government. I judge people on reaction and results, and unfortunately I do not think that the Conservatives performed significantly better at preserving our post office network than the current Government.

Mrs. Gillan: It may have escaped the hon. Gentleman's notice that under the last Conservative Government the Post Office actually made a profit.

Lembit Öpik: Yet still the Conservatives closed post offices. That makes the position even more incongruous than I believed.

The criteria for considering which post offices to shut have been described as numerous, but money is obviously the core consideration. The Government and the Post Office say that they have been required to make a profit and that what is happening is the only way they can do it. Actually, the Government could make a different political judgment instead of dogmatically requiring the closure of post offices; if, rather than taking away the ability of post offices and sub-postmasters to offer facilities, they positively widened that access, we would not be in the mess that we are in. The irony is that television licensing, which was taken away from the Post Office, costs more now than it did under the Post Office.

With an ageing population and high rural house prices the problem is even worse in rural areas such as mine. Several post offices have been and continue to be under threat in my constituency, including those at Llanbrynmair, a small settlement with no convenient local alternative; Carno, a village with the capacity to grow substantially; Trefeglwys, which has a successful shop, and where others, including the community, are interested in taking on the post office facility; Garth Owen, the only other post office in Newtown, which has a population of about 11,000; Sarn, where there is a small outlet of many years' standing; Castle Caereinion, which has a cherished and well used post office under the auspices of Michael Rogers; Berriew, which is an idyllic village with many tourists and a Spar shop that is very keen to take on the facility; and Abermule, perhaps the greatest concern of all, where Pauline and Peter Albrecht have worked their guts out to make their shop successful and their sub-post office an important local service. All those post offices are under threat because of the mandate that has come from the centre.

It is all very well for the Government to adopt the approach of pretending that there is no alternative. If they gave post offices more opportunity to provide wider services, profits would be forthcoming. In addition, the Government seem to be ignoring what is happening in the oil market at the moment. With diesel at £1.30 a litre in my area, my constituents are all too aware of the additional cost of travelling to other post offices in lieu of those that are to be closed. Let us not pretend that what is happening is cheap. If Castle Caereinion post office were to shut it would cost at least £2 to post a letter, taking into account the cost of the fuel to travel to the next nearest post office, at Llanfair Caereinion.

What about the environmental consequences? The Government talk about wanting to be environmentally responsible, yet in the same breath they announce the decimation of rural services, so that people are forced to travel further than ever before for such facilities. The Government also seem to ignore the fact that post offices are not just a business service; they are a social service. Nothing in the accountancy-led decision that has been made seems to reflect the social importance of post office facilities to constituencies such as Montgomeryshire and those of my hon. Friends who are here today.

The strength of feeling can be garnered not just by word of mouth from the population but from the well organised and coherent campaigns that have been run by so many people in the affected communities. I pay tribute to the *County Times*, which has done more than any other paper in my constituency to highlight the issue and consistently to portray, with a fact-based approach, how important local people consider post

[Lembit Öpik]

offices to be. Furthermore, the paper employs the finest photographer and some of the finest reporters anywhere in the land.

In conclusion, I have some questions for the Minister. Why are the Government unwilling to make a surcharge, so that the private competitors of the Royal Mail have to pay towards the universal service obligation? What is the justification for continuing with the ludicrous access headroom discount, which means that the Post Office has to discount its competitors? Why could that money not be used to cross-subsidise the post office network? We could also look again at the price of stamps. What assurance can the Minister give us that the consultation process, in which all of us have meticulously participated, has the capacity to make any positive difference?

Like many others, I have acted in good faith. I have worked with the Post Office, Postwatch and Ministers to get the Government to think again. Forthcoming announcements will give a clear indication as to whether the Government and the Post Office value the consultation and whether the social value of post offices has been taken into consideration. If there is wholesale closure of rural post offices, they will also tell us that the Government know the price of everything and the value of nothing.

3.30 pm

Sarah Teather (Brent, East) (LD): I congratulate my hon. Friend the Member for Brecon and Radnorshire (Mr. Williams) on securing this debate. He said that today is a sad day for the people of Wales, as indeed it is, because they have learned that they are going to lose yet more post offices. He spoke about the impact, particularly on his most vulnerable constituents, and the idiocy of closing a post office, losing the shop, and putting a mobile post office immediately outside. That defies common sense. The hon. Member for Clwyd, West (Mr. Jones) and my hon. Friends the Members for Ceredigion (Mark Williams) and for Brecon and Radnorshire have also discussed whether the access criteria take into account the pressures of rural areas.

I welcome the Minister once again to his usual place. We debate this issue at least once a week—indeed, I have seen him debate it with individual hon. Members much more frequently than that. I am sure that he realises the extent of the anger among hon. Members, including those on the Government side, about the decision to close 2,500 post offices in addition to the 4,000 that closed in previous Government programmes, and the 3,500 post offices that were closed by the Conservatives when they were in power.

There is huge frustration that the Government simply do not recognise the social value of the post office. All hon. Members who have spoken, including my hon. Friends the Members for Ceredigion and for Brecon and Radnorshire, have mentioned the frustration of the consultation process. The former spoke about the sense that the proposals were a done deal and that once they were put forward, nothing could be done to fix the problem. Many other hon. Members in previous debates expressed the frustration that my constituents feel, because, even if they managed to save one post office, they would be told by Post Office Ltd that a nearby office would be closed.

Mr. Roger Williams: I did not cover that point in my contribution. We managed to save a post office in my constituency, but we wait with bated breath to find out whether another has been identified for closure, which would mean going through the whole six-week consultation process again.

Sarah Teather: Absolutely—it is invidious to expect local people to make such a choice. People will always campaign for their local post office, and they understand that the closure of a post office could have a huge impact on a neighbouring area. Six weeks is not long enough to put together any kind of sensible rescue package. Many communities, perhaps working with the local authority or businesses, want to put together a rescue package to ensure that a post office continues to be viable, but six weeks is not long enough to do that. It is as if we are simply going through the motions. By law, the Government must consult, but they are not terribly interested in what local people think about the impact of closures.

London is a different kind of area—it is urban rather than rural—but we in Brent have just found out that another six post offices are due to close, so I sympathise with the frustration that hon. Members feel. Only 60 per cent. of post offices that were open in 1997 remain. A number of hon. Members spoke about queues. I have seen a change in people's behaviour even before post offices close, and the queues are already unmanageable at neighbouring post offices.

All hon. Members who have spoken mentioned the impact on local shops. That is especially relevant in villages, where the post office might be the only shop, but it is also relevant in urban areas where, often, post offices reside in small parades of shops. If the post office is lost, the shop often goes with it. Because of the lack of footfall to neighbouring shops, the whole parade of shops in the area could be lost.

A post office has an important economic role to play in surrounding areas—the hon. Member for Caernarfon (Hywel Williams) and my hon. Friend the Member for Ceredigion made that point well. A number of reports have attempted to quantify their value. The New Economics Foundation, for example, has said that the cost to an urban area's economy of losing a post office is around £277,000, which impacts on VAT received by the Government. Sometimes, the Government do not benefit greatly from their own cuts. In rural areas, it has been estimated that for every £1 of subsidy, there is something between a £2 and £4 pound benefit to the local economy.

Mobile post offices are simply inadequate to replace an original post office. They will not replace local shops that are lost.

A number of hon. Members spoke about the small amount of money—£45 million—that the Government will save from the process. Given the amount of grief they get and the impact on the rural economy, I am sure that the Minister, sitting in his place yet again, wonders whether it is really worth it and whether, in the long run, it will cost the Government more money. I know that he will hate my raising this, but that sum is in stark contrast to the figures published by Royal Mail that show that Adam Crozier gained more than £3 million in bonuses, benefits and salaries. The Minister has an answer to that point, because he knows that I make it all the time.

The Minister for Employment Relations and Postal Affairs (Mr. Pat McFadden): I appreciate that my time to speak is coming. I assure the hon. Lady that I do not hate her raising anything—before today's debate, I simply said that our exchanges are sometimes predictable.

Sarah Teather: Of course, there is a way to fix that: the Government could change their mind, so that we do not have to go through this little game once a week, in which we all have a go at the Minister for closing our local post offices. If he simply changed his mind and stopped closing our post offices, we would not need to go through this little ritual. It is in the Minister's hands, but I shall endeavour to be unique in contributing to these debates. We make some of our points repeatedly, because he does not appear to be able to hear us.

Many hon. Members spoke of the sense that losing the local post office would mean losing everything in the area. My hon. Friend the Member for Ceredigion has spoken passionately about the many things that his rural area will lose and the fact that the post office is the last thing standing. I assure him that the same is true in urban areas. We have lost police stations, and job and health centres. There is a sense that everything is going and that facilities that offer opportunities for people to deal face to face with one another are being closed.

The Business and Enterprise Committee report raised the spectre of further closures, because the Post Office refuses to state the lower limit on the number of post offices for a viable network. I am especially anxious about that. Only 7,500 post offices are required to meet the Government's access criteria, and the Government simply do not have a long-term plan for the sustainability of the network. The whole point of the closure programme, supposedly, is to drive the footfall into the remaining post offices to make them viable, but that does not stand up, and it has not been demonstrated by experience or any sensible audit of the available evidence. When post offices close, people tend to change their behaviour and stop using post offices, because it is more difficult to get to them—people might have to drive or take several buses, as my hon. Friends have mentioned, so it becomes impossible.

In my remaining minutes, I shall suggest what the Government might do. I hope that they will consider separating the Post Office from Royal Mail, which would give the Post Office an opportunity to work with competitors. There are many possibilities for post offices to work as parcel depots, for instance, where people can pick up parcels delivered not just by Royal Mail but by its competitors. That might improve the network's financial viability.

We need a dramatic increase in investment, including a lump sum, to allow the network to modernise so that it can compete on the high street. In particular, the Crown post office network is haemorrhaging money and urgently needs modernisation. Post offices desperately need a source of revenue. There is uncertainty about the Post Office card account, but I hope that the Government will consider making the Post Office the cornerstone of a new universal service obligation to provide bank accounts, either through the Post Office or by working collaboratively with banks. There are many opportunities that the Government could take to ensure that the post office network is viable, but I suspect that they will not take them and that we will simply hear again, "The Government have to do this in order to save money." That would be a shame.

3.40 pm

Mrs. Cheryl Gillan (Chesham and Amersham) (Con): I, too, congratulate all hon. Members who have participated in this debate. I also welcome the Minister to his place. This debate is a little desperate—indeed, the Minister looks a little desperate himself, if he does not mind my saying so. He had the sympathy of my hon. Friend the Member for Clwyd, West (Mr. Jones), and he has mine as well, because I know that he will have heard much of this before. However, whereas I am temporarily deaf in my left ear and hope to recover in due course, the Minister and the Labour Government appear to be permanently deaf on the matter of post offices. No matter how many representations are made or debates are held, or how many times we try to repeat the will of the people to this Government, they insist on blanking the wishes of the people in our communities, not least in Wales.

I suppose that I ought to declare an interest. My husband, when he was a senior official in the Department of Trade and Industry, was responsible for the Post Office—indeed, it was under him that it made a profit—and my sister-in-law was a sub-postmistress. I am not unfamiliar with what went on in post offices. Although the Liberal Democrats like to complain about the number of post offices closed under the Conservatives, I assure them that it pales into insignificance when we study the record of this Labour Government, who are closing post offices faster than any other Government in history at a rate of almost 10 a week since 1997. With the announcement about the 2,500 post offices, the network will continue to be decimated. By the time of the next election, we estimate that a third of the entire post office network will have been closed down.

Lembit Öpik: Will the hon. Lady give way?

Mrs. Gillan: No, I do not have enough time. The hon. Member for Brent, East (Sarah Teather) almost ate into my time.

The Government's target for closures arbitrary, illogical and does not take into account whether a post office marked for closure is profitable. As the hon. Member for Brecon and Radnorshire (Mr. Williams) has said, communities will be pitted against each other, not least because of the dog-eat-dog closure programme under which, if one community campaigns successfully against a closure, a neighbouring branch will be shut down.

I hope that the Minister will address the anomaly in the announcement and its timetabling, because it is appalling that there are doubts about how such announcements are made. For example, I was delighted to learn that the Tremont road post office in Llandrindod Wells will not close, and that Margaret Hodges, the postmistress, will continue to serve the community there, but that is in contrast with Ridgebourne, run by Mr. and Mrs. Yeo, whose fate is yet unknown. The salvation of the neighbouring post office puts the Yeos under more pressure.

Hon. Members' points about the vulnerable in our society such as the elderly and disabled who will be

[Mrs. Gillan]

disadvantaged by the closures were all validly made, but I have another point to add. In my travels around post offices in Wales, I came across one post office that is located down the road from a women's refuge. The women there visit the post office regularly. It is one of the safest routes that they can walk. It is an outlet and allows them regular contact with people in the community. Some of those women are the most abused in our society. Removing their local post office will remove a facility that is very valuable to them, and they will have a great deal of difficulty making their voices heard. When I was in Penarth with some disabled post office users, I was alarmed to hear what would happen to their quality of life. At the moment, they can travel down the road to collect their post and carry out their own business at the post office, which would be denied them if that post office were to close. There is fear and anxiety. It is obvious that the Government have no long-term vision for the post office network.

Lembit Öpik: Will the hon. Lady give way?

Mrs. Gillan: I have no intention of giving way. I do not have enough time.

Lembit Öpik: On a point of order, Mr. Atkinson. We all gave way. I had seven minutes, and the hon. Lady insisted on intervening. I know that I cannot force her to give way, but it seems the height of disrespect for her not to give way at least once.

Mr. Peter Atkinson (in the Chair): That is not a matter for the Chair. If the hon. Lady says that she will not give way, she will not give way.

Mrs. Gillan: Thank you, Mr. Atkinson.

We certainly recognise the fantastic service provided by postmasters and sub-postmasters in local communities, which came through in some hon. Members' contributions. However, what I did not hear from any of the Liberal Democrat Members or the Plaid Cymru Member was a concerted plan for post office action.

As the Minister knows, in response to increasing fears about significant post office closures, the Conservatives published a post office action plan last year. For the sake of symmetry, I shall repeat it, which will give the Minister an opportunity in responding to update me on the Government's views. First, on freeing up sub-postmasters, we would certainly allow sub-postmasters to provide a greater range of products and services, including private mail services. The network's long-term future will be best secured if the post office is opened up to new markets and new customers. We want to use post offices as a sort of government GP surgery. We could investigate a scheme in which people with concerns involving a range of government services could use their local post office as a kind of government GP.

Will the Minister update me on what has been happening with the Welsh Assembly Government? The "One Wales" document said that the Government would

"reinstate and refocus the Post Office Development Fund".

Will he confirm whether that has happened? Also, what has been happening as far as the small business rate relief scheme is concerned for post offices in Wales?

We campaigned on the Post Office card account. We called repeatedly for the Government to review the decision to abolish the POCA, and we were delighted that they responded to our arguments and changed their mind, but we also propose to encourage council counters, which would encourage local councils to see what services they could provide through their post offices and whether they could use the post office network in their area to engage better with local residents.

Services should be more widely available in the community. Indeed, one of the post offices I visited, in the constituency of the hon. Member for Brecon and Radnorshire, was providing fishing licences for a father and son. That was an excellent additional service. When I visited Pendre, I spoke to Jay Vakil, and in Llanfaes I met Karen Weale with our excellent candidate for Brecon and Radnorshire, Suzy Davies, who has been doing a tremendous amount of work on the issue. She started many of the petitions in the area. I became aware of the pressure from the community to keep those post offices open, as I said when the hon. Member for Montgomeryshire (Lembit Öpik) so kindly let me intervene.

The post office closures have worrying implications for Wales. Will the Minister comment on the New Economics Foundation study showing that when post offices close in a community, it has an impact on the local economy, and that a single post office closure could result in the loss of £270,000 to that local economy? The foundation also worked out that every £10 earned by a post office generates £16.20 in income in the local economy. He will know that our economy in Wales is fragile, to say the least, in rural areas. What work has he done on that effect of the closures that the hon. Member for Brecon and Radnorshire has brought to our attention?

Despite all the protests by Members of Parliament and members of the community, the Government appear not to have responded. I point out to the hon. Member for Montgomeryshire that no Welsh Labour MPs are present in this debate. When we proposed to halt the closure programme, 22 Welsh Labour MPs voted against our motion; the only one to stick with us was the hon. Member for Newport, West (Paul Flynn), on which he should be congratulated. I believe that the Government are doing Wales and the rest of the country a great disservice. They are not listening to the people. I hope that the Minister will not turn out the standard response that he has been turning out in these debates over the past weeks, months and years, and that this time he will really listen to the people of Wales.

3.50 pm

The Minister for Employment Relations and Postal Affairs (Mr. Pat McFadden): As is customary, I begin by congratulating the hon. Member for Brecon and Radnorshire (Mr. Williams) on securing this debate. As a number of hon. Members have commented, post office closures have been debated a number of times, and in some ways there might not be much new to say. However, he certainly spoke with great passion about his constituency.

Today's debate reminds me in some ways of the one that we had a couple of months ago on post office closures in the highlands and islands, some of the characteristics of which I suspect that mid-Wales shares: it is geographically large and sparsely populated. It has 166 post offices serving about 200,000 people. Of those post offices, 13 are scheduled for closure, which is actually a lower proportion than the average across the country, partly in recognition of some of those characteristics, about which all three of the mid-Wales Members spoke.

The hon. Gentleman made some points about the release of information. The Post Office is trying to inform people, such as MPs and sub-postmasters, before decisions are made public, but there is an element of trust in that. If it did not do that and simply released all of the information on one day without telling anyone, I think that people would complain about a lack of advance information.

Mr. Roger Williams: My complaint was not with the Post Office, which has proceeded perfectly properly, but that the information broke in my constituency before I was informed. I do not put the blame on the Post Office.

Mr. McFadden: I understand. I was saying that the Post Office tries to inform people such as MPs and sub-postmasters before information enters the public domain. Difficulties can result if someone else—we do not know who—releases that information, but I suspect that, if the Post Office were to stop informing such people in advance, the effect would be even worse, because people would simply read about it in the newspapers.

Understandably, hon. Members talk about the strength of feeling about, and opposition to, the closures in their constituencies. No one likes their post office to close, even if they do not use it very much. Hon. Members might object, but quite often I have to point out the reasons for some of the closures and set out some of the challenges that face the Post Office. Over the past hour or so, we have not heard a great deal about that. The Post Office's difficulties are being driven by three significant factors. The first factor is lifestyle change, the biggest example of which is how we receive money. Nowadays, people are used to receiving their salaries directly into their bank accounts, which is reflected as people retire. We might think of the post office as the outlet of choice for almost all pensioners when picking up their pensions, but that is no longer the case. Eight out of 10 have their pensions paid directly into their bank account, and the younger a pensioner is, the more likely that is to be the case—the figure is nine out of 10 among new retirees. That is one example of how things are changing for the Post Office.

The second factor is technology. The past decade has witnessed a complete revolution in the way that people communicate with one another. That technological change has also affected the way that we pay bills and carry out transactions. An example is car tax online, which is a service that did not even exist a year ago. Last year, 500,000 people used it every month, and that figure is now 1 million—1 million people no longer visiting their post offices to tax their cars. What should the Government do about that? Should we deny the availability of that service? I do not believe so. The difficult truth is that, far from being ahead of the curve on technology and the way that people live, I believe that the Government are probably behind it. The public are probably ahead of the politicians. That will inevitably have an impact on the number of people who use the Post Office.

Mr. Roger Williams: One way in which the Minister could help is by ensuring that post offices can check the insurance of a car being taxed, without the customer bringing the cover note with them. That way there would be a level playing field.

Mr. McFadden: Those who use the online service like the idea that the databases are joined up behind the scenes, but I do not want to be drawn into too much detail on that, because I have very little time.

The third factor is competition. Other networks now provide some services traditionally provided by the Post Office. Reference was made to the television licence, the contract for which was lost to another network, as a result of a decision taken by the BBC, not the Government. That illustrates the environment in which the Post Office is working.

A number of Members made a general point about the Government giving up on rural areas and ignoring the social side of post offices. Nothing could be further from the truth. The Government are in the middle of putting in place support for the post office network of some £1.7 billion in the years running up to 2011, which will enable thousands of post office branches that would otherwise be under threat from the kind of changes that I have talked about—in technology, lifestyle and competition—to stay open. I understand that it is difficult for communities when faced with a post office closure, but it is also important to recognise the size and extent of Government support for the post office network. That £1.7 billion demonstrates that the Government are doing anything but giving up on rural areas and the social side of post offices. Some of the individual post offices mentioned today have fewer than 100 customers a week and some of them have fewer than 50. In those post offices, the subsidy per transaction is between £8 and £17. That is the extent of the support for some rural post offices.

On future business, of course the Post Office card account is out to tender. A decision will be made by the Department for Work and Pensions later this year. Legally, we must put that decision out to tender; we cannot simply give that business to the Post Office. It is in a strong position to bid, but let us see how it turns out. I do not believe that the future can involve turning back the clock on the lifestyle changes about which I spoke. I do not believe that any of us will be collecting our state pension from post offices, but there are new possibilities, one of which involves the provision of identity management information—passports, driving licences and, possibly in the future, identity cards. So when hon. Members say, "Let's give more work to the Post Office," we should point out that neither the Conservatives nor the Liberal Democrats would even create the possibility for the Post Office to gain access to that line of work. It would have to bid for that work, but it could represent an important line of business, yet every Member who spoke today represents a party that opposes even that possibility. I hope that we can consider that when saying that the Government should give the Post Office more business.

Wiltshire Police Helicopter

4 pm

Robert Key (Salisbury) (Con): May I say what a pleasure it is to sit under your chairmanship, Mr. Atkinson, and welcome my right hon. and learned Friend the Member for Devizes (Mr. Ancram) and my hon. Friend the Member for North Wiltshire (Mr. Gray)? They have been fighting this campaign along with me and other Members with Wiltshire constituencies. The hon. Member for South Swindon (Anne Snelgrove) has sent her apologies. She has been called away elsewhere on business, but she, too, has pledged her support for the Wiltshire police helicopter.

The reason for the debate is that the Wiltshire police helicopter was one of the very first in the country and is still one of only two that provide a joint air ambulance service. It is important to put on record just how busy the helicopter is. Back in 1990, when it came into operation as part of the air operations unit of Wiltshire constabulary, no one could have had any idea how important it would become to the county's policing. It provides 19 hours' cover per day, 365 days a year, and it is on call for those missing hours between 3 am and 8 am as requested.

Over the past three years, the helicopter has flown 3,693 sorties, and it has been involved in finding 53 vulnerable missing persons, sufferers from Alzheimer's and similar dementia cases. It has been involved in the arrests of 506 people, the location of 60 vehicles, the recovery of property to the value of £275,000 and, most significantly, in taking 906 seriously injured patients to hospital. That is a remarkable record for a helicopter that operates on a budget of £1.6 million a year.

The funding is divided into three sources. The public finance grant, which comes from the Home Office, is £405,000 a year. The Great Western ambulance service pays 30 per cent. of the cost of the first 500 flying hours and 25 per cent. of the cost of any further hours, and that budget provision works out at about £326,000 a year. Wiltshire police fund the balance of £911,000. All that funding excludes the cost of the paramedics, who are provided by the Great Western ambulance service. The paramedics provide an observer role for the helicopter when it is flying, and without them Wiltshire police would incur extra costs.

Mr. Michael Ancram (Devizes) (Con): I congratulate my hon. Friend on securing the debate. Is it not true that the equation he has just set out—the three sources of funding—has made the ambulance and police facility totally viable, and that if it is broken, it is likely that neither service will be available to our constituents?

Robert Key: Emphatically yes. My right hon. and learned Friend is wholly right, and part of the magic of the Wiltshire solution to the problem is that it involves the community. The air ambulance side of the facility is provided by a charitable trust, but more on that later.

The helicopter is manned by three individuals. The pilot is provided under a private finance initiative and employed by a company called Police Aviation Services. The first observer role is provided by a police officer who is trained in air support, and police observers are trained and competent to carry out limited health care, too. The second observer role is provided by a paramedic who is fully trained to supply health care at the incident if necessary. Both police and ambulance observers are trained to national police observer standards.

As I said, the helicopter is provided by a PFI contract with Police Aviation Services. As the contract is for the provision of an operationally ready helicopter, the risk of breakdowns, non-availability and so on is passed to the provider, rather than held by the public sector as is usually the case with police helicopters.

Negotiations to extend the contract, which comes to its close at the end of this year, are taking place with Police Aviation Services, but there are still problems about short-term extensions because the camera equipment support contract is also about to terminate. Over the 10 years of the contract, technology has advanced and initial quotations to replace the equipment stand at about £800,000. Short-term extensions are therefore economically unviable, but discussions continue.

That sounds fine, but the Wiltshire public—our constituents—are very worried about a number of aspects. I shall not go into the relationship between the charitable trusts and the Great Western ambulance service, although that concern has been drawn to the attention of the charity commissioners. I am concerned about the impact on Wiltshire policing, which is why I decided to ask a Home Office Minister to respond to the debate. The Wiltshire police authority is very keen to renew the arrangement with the Great Western ambulance service for a further five years, and the authority wants the joint service to continue if at all possible. The position of the ambulance service, however, is a bit more enigmatic, and in a letter dated 12 May the chief executive explains why the service is involved in a long-term review of the situation. He simply says:

> "There are therefore no 'firm' plans at this stage."

That might be good for the Great Western ambulance service, but it is very bad news for the police service.

Dr. Andrew Murrison (Westbury) (Con): It was not as if the Great Western ambulance service did not know about the renewal. Does my hon. Friend not think it remarkable that Great Western has taken this long to crack on with its review? The review is its problem; it should not become the police's.

Robert Key: I am very glad that my hon. Friend from west Wiltshire has joined us for the debate, because he has been a doughty fighter for his constituents, who, if anything, are rather more rural than even mine and depend even more on the joint service. He is wholly right. The problem has not just suddenly sprung up and hit everyone; it has been predictable for 10 years. Now, however, the situation has been thrown into confusion, not least because only two days ago, on 2 June, the Great Western ambulance service issued a press release announcing the start of its new air ambulance service, which will become "operational this week". The problem is that it leaves Wiltshire in the same position as before. The announcement is fine for people in Avon and in Gloucestershire. It is good news for them, except that unlike the police helicopter, the air ambulance cannot fly 24 hours a day. It can fly only in daylight hours, which means that in winter it will fly for only seven or eight hours a day, unlike the Wiltshire service, which one can fly all the time. The Civil Aviation Authority is also changing the rules governing the public use of helicopters, which further complicates the equation.

We are fortunate that the Minister is present today, because she has in a very short time acquired a great deal of expertise in the matter. On 13 May, the hon. Member for Stockton, North (Frank Cook) initiated a debate in this Chamber about the problems that people have been having in the north-east—in Northumberland, with which you will be familiar, Mr. Atkinson, as the Member for Hexham. What the Minister said then is, to a large extent, applicable to what is going on in Wiltshire now. She mentioned that

> "the Civil Aviation Authority amended the air navigation order to increase compliancy requirements for public transport at night."

But she also talked of

> "the existence of a national strategy underpinning police air operations, which dates back to January 1993."

That is extremely important. She pointed out that

> "the Government allocate specific capital funding of £5 million a year to support aviation."—[*Official Report, Westminster Hall*, 13 May 2008; Vol. 475, c. 387-388WH.]

She also said that the funding, which includes a 40 per cent. contribution by the Home Office, was agreed with the Association of County Councils many years ago.

I should be grateful if the Minister could please update us on the Association of Chief Police Officers' review of police air operations in England and Wales. We know that the group is working with the National Policing Improvement Agency and with the police, and I hope that they are on to Wiltshire's case, because it is very important to our constituents. The ACPO review will establish what the forces and the public need, which is air support, and what the policing priorities are. Recommendations will flow from that, but will the Minister tell us when we will get them?

I understand that there might be some short-term financial alleviation to allow equipment to be procured. That might be relevant for the Wiltshire police helicopter, which needs new equipment worth some £800,000. There is a round of Home Office funding worth £5 million, but the lid to that particular pot will be closed at the end of December. How will that help the Wiltshire situation?

What is unique about the Wiltshire police helicopter is the fact that it has joint funding, with charitable funding for the air ambulance side. That is hugely important. I find myself quite torn. It is very important for the community to feel that they are stakeholders in this project. The air ambulance belongs to the people of Wiltshire; they have raised the money. The £1.3 million in the kitty of the charitable trust is Wiltshire money and we hope that the air ambulance will continue to be used in Wiltshire. There is tremendous commitment to the service from our constituents. It is feared that if the air ambulance side of the operation comes to an end, the police helicopter will no longer be viable and will have to cease its service by the end of the year, which would be tragic.

Therefore, while I welcome the charitable contributions to the air ambulance side, I do not think that it is the right solution. No doubt the reviews will consider that matter. It is not right in this day and age to be wondering whether we can afford a police helicopter. Police helicopters and air ambulances are not a luxury, and they are no longer a novelty. They were 10 years ago. In the 19th century, the police constable and village bobby would not have shared their pedal cycle with the district nurse; in the 21st century, the police helicopter should not have to be shared between the crime busters and the trauma clinicians on whom we all rely.

This significant issue has not been aired publicly in a satisfactory way. Far too much is going on behind closed doors. The lips of all the employees involved are sealed. There is suspicion among the ambulance crews because they feel that the air ambulance does not go out when it should. However, that is for perfectly sound operational reasons based on the professionalism and experience of the air support unit located in the constituency of my right hon. and learned Friend the Member for Devizes. That problem will get worse and run into the buffers unless the Minister can help us. She cannot solve the problems of the air ambulance as such, but I hope that it will concentrate her mind to know that if we do not crack this problem, and if her colleagues in the Department of Health do not rap someone over the knuckles, we will lose a very important component of policing in Wiltshire.

Mr. Geoffrey Clifton-Brown (Cotswold) (Con): I am sorry to intrude into my hon. Friend's debate. Gloucestershire shares the ambulance helicopter with Wiltshire but has no police helicopter. Does he not agree that a comprehensive solution needs to be found to benefit the three counties—Wiltshire, Avon and Gloucestershire—involved in the air ambulance?

Robert Key: From my hon. Friend's point of view, he is entirely right. From Wiltshire's point of view, he is entirely wrong. We should not have such a problem. In the 21st century, we should have a comprehensive national approach. The national health service, for which the Minister is not responsible, should not need to approach charities to fund air ambulances when they are proving so cost-effective. The clinicians and consultants of the Hampshire and Isle of Wight helicopter service are adamant that air ambulances should be part of standard national health service provision. We need a national plan for that and for the police helicopter. I hope that the Minister will tell us that one is coming soon so that we can reassure our constituents.

This is an all-party matter. The Labour Members representing Swindon are as keen and as worried about this as we are. I hope that we can find some resolution because this problem will escalate if we do not deal with it quickly. I am sure that the Minister, with her swiftly acquired expertise, will be able to address the problem in a way that will allay the fears of our constituents, many of whom have benefited from the air ambulance and the police helicopter.

4.15 pm

The Parliamentary Under-Secretary of State for the Home Department (Meg Hillier): It is a pleasure to serve under your chairmanship for the first time, Mr. Atkinson. I congratulate the hon. Member for Salisbury (Robert Key) on securing this debate.

The point about the interest in the service has been well made both by the presence of four other hon. Members and by the support of others who were not able to be here today. I recognise the concerns that the hon. Gentleman raised about the future funding arrangements of the combined police and air ambulance

[Meg Hillier]

operation. The unit provides police air support and helicopter emergency medical services to the people of Wiltshire. Significantly, the helicopter has been provided under a private finance initiative and is based at the Devizes headquarters of the Wiltshire constabulary. The PFI contract has been going for a long time. By working with its local ambulance service and co-locating some of its services, Wiltshire has been one of the most forward thinking police authorities. Perhaps other parts of the country could learn from such an operation. The contract has been running for nearly 10 years and is due for renewal from December this year.

Contract negotiations are ongoing. The Great Western ambulance service has asked for an extension to the contract while it carries out a review of the area's clinical need for helicopter services. I understand that the police are pressing for a further five-year contract. As the hon. Gentleman said, the two parties are still in negotiation over that point.

As the hon. Gentleman appreciates, there are limits to the Home Office's reach in such areas. As he quite helpfully pointed out, I do not have responsibility for the national health service; I have plenty of other things on my plate. There are important issues about the autonomy of local police and ambulance authorities. It is not the role of the Home Office to direct, at a close local level, individual operational decisions. It is for Wiltshire constabulary, the police authority, neighbouring police forces and the air ambulance charities to determine their own operational needs. It is important to recognise that the Government do not run everything from Whitehall. We do not have any locus in this area and neither do the Department of Health or the National Policing Improvement Agency, for which I have some responsibility.

From the Home Office perspective, police helicopter operations are very important. They have been used to target criminal activity and have improved safety on dangerous vehicle pursuits. In this instance, in which the aircraft is shared, we have seen benefits to the public, which is what we all, as Members of Parliament, are most interested in. The vital role of delivering emergency care to people across south-west England has proved an effective and faster way of getting people to hospital and supporting inter-hospital transfers.

The hon. Gentleman mentioned the amount of money that has been raised by the public. Clearly, the service has had enormous support from the public. People have been dipping into their pockets to pay for it. They also support the work that has been done by the medical and trauma teams. I am grateful for the work done by both the police and the helicopter emergency medical service, which is carried out on a 24/7 basis. The teams work long hours, which is very impressive.

It was interesting and instructive to learn—from the review that the hon. Gentleman mentioned—that Wiltshire and Sussex are the only two counties with a joint operation. We should consider that model for the future. In a moment, I will touch on what is happening with the review, as the hon. Gentleman asked. There are clearly financial benefits to linking services, which enables the air ambulance to operate at night because of the capacity of the police helicopter and the equipment therein.

The current national air support strategy for the police has served police services since 1993, but there has been no meaningful review for 14 years. It is a mark of the differences and changes over the years that in 1993 only 16 forces nationally had any form of air support, but today 39 of 43 forces have direct access to aircraft, with 34 helicopters and four fixed-wing planes available to the police nationally, although procured on the basis of local demands and resources.

The hon. Gentleman mentioned the funding provided by the Home Office, in the funding round that we are approaching at the moment, with a capital pot of £5 million available for part-funding the capital purchase of helicopters. Because the Wiltshire helicopter was purchased under a private finance initiative arrangement, the aircraft belongs to Police Aviation Services, as the hon. Gentleman mentioned. We cannot put Home Office investment into an asset that belongs to that organisation rather than the police. That limits the opportunities to look at that pot of money.

Robert Key: Is that fund applicable to equipment in the helicopter that is purchased specially for the use of the air ambulance service and the police service?

Meg Hillier: I think not, because of the ownership of the helicopter, but I will write to the hon. Gentleman in detail and clarify the matter. Perhaps we can have a dialogue about exactly which bits of equipment he is talking about to ensure that we get things straight. I would not want to commit myself on the technical detail of bits of equipment that I do not know anything about.

What is going on in Wiltshire is an example of what we should be looking at for the 21st century. Wiltshire is setting the agenda. The work being done by the Association of Chief Police Officers in its air operations working group and the fundamental review, which the hon. Gentleman talked about and which I mentioned on 13 April in respect of police air operations in England and Wales, will provide a framework for what we envisage and hope for in the next 10 years and will be updatable as necessary. We are making progress on that.

The draft report is currently with Chief Constable Hogan-Howe and the first meeting to discuss it will be tomorrow morning at about 9 am, so I cannot tell the hon. Gentleman exactly where we are with that, because we are a day ahead of ourselves—if only we had had this debate tomorrow afternoon. The aim is that the chief officers council will see the proposals in or around July, although I cannot predict a precise time. I am happy to keep in contact with the hon. Gentleman and ensure that he is made aware of progress.

The review will consider all issues to do with where a helicopter is based and co-operation options. It will be down to ACPO to finalise the detail. I hope that it will note good practice where it works, take those lessons and apply them more widely. That is a matter for the review. Whatever the recommendations of the review, decisions need to be made locally, as an operational matter, between the local force and air ambulance service.

I am sure that hon. Members agree that the Home Office's and the Government's commitment to policing is demonstrated by the fact that we have increased the police grant by more than 60 per cent., or £3.7 billion, between 1997 and 2010-11. Funding is allocated chiefly through the police formula grant to allow police forces and authorities the flexibility to determine their local priorities, which we have already mentioned.

The ACPO air operations working group provides national co-ordination and support to police air operations and the review will be helpful in that respect. Chief Constable Bernard Hogan-Howe, who is leading the review and leads on police air operations overall, is able to lend the group's support to any forces to overcome any difficulties. If the hon. Gentleman has not already made contact with Chief Constable Hogan-Howe, he may wish to do so to see if he can use his weight, along with my words today, in support of a solution to the issue.

The hon. Gentleman has used his influence effectively and no one in Wiltshire can be in any doubt about his commitment, and the commitment of the public, to the joint service. There is an opportunity for him to contact Chief Constable Hogan-Howe. I will make sure that I answer the point about funding issues in writing and I will also keep him up to date on progress on the review programme, so that—I hope—by July we will have the results.

Mr. Ancram: One aspect of the use of the helicopter that should be put on the record is that the A4, which is in my constituency, is a straight road and is good for speeding motorcycles—if I can put it that way. Motorcycles often go at speeds that are impossible to police by car and the police helicopter has been an effective way of policing them. If the helicopter goes, it could be very damaging.

Meg Hillier: The right hon. and learned Gentleman raises an important point. The issue of police chases and how the helicopter can help to prevent accidents is important. I cannot quote the figures off the top of my head, but the statistics for motorcycle safety are immense. When a police car chases somebody on a motorcycle, the temptation to go faster is no doubt huge. I, and the Home Office, see the benefit of police helicopters.

Mr. James Gray (North Wiltshire) (Con): I had not intended to intervene, but we have some time left so I hope the Minister does not mind me doing so. I have listened carefully to the technicalities of what she has so far discussed and, as far as I am aware, she has not reiterated the fundamental importance of a police helicopter for the county of Wiltshire, which is a large rural county with access problems caused by road structures. In light of the intervention of my hon. Friend the Member for Cotswold (Mr. Clifton-Brown), will she take this opportunity to reiterate to the House that the Government believe it is important that we in the county of Wiltshire—and the county of Wiltshire alone—should have the use of a police helicopter for the foreseeable future?

Meg Hillier: I am aware that in different local areas there have been discussions about the benefits of sharing helicopters across areas. I recognise that Wiltshire's size and the fact that it is a largely rural area means that it would certainly benefit from a helicopter, but it is up to the local police authorities and chief constables to determine local needs. As I have said, the public in Wiltshire clearly support the project—not just in principle but in financial terms.

Mr. Gray: I quite understand that the Minister is saying it is a matter for the chief constable. If the chief constable of Wiltshire were to conclude that it is clear that we must have a police helicopter for Wiltshire alone and that the helicopter should not be used outside the borders of the county of Wiltshire, would Her Majesty's Government support the chief constable in that conclusion?

Meg Hillier: It would be open to the chief constable, as it is already, to fund the helicopter, to apply at different times to the Home Office for support if a new helicopter needed to be procured at any point and to apply for a share of the capital funding that the Home Office puts into new helicopter equipment. However, it would still be a matter for police authorities and chief constables locally to determine whether it might sometimes be beneficial to stray slightly over the Wiltshire border and engage in joint work across two police authority areas. That would be a matter for local determination.

There seems to be a well established tradition in Wiltshire that there is not just a long-established police helicopter, but long-established and far-sighted co-operation between services, which has served the people of Wiltshire well. That record speaks for itself. It is important that we allow local policing priorities to determine the matter. I am sure that the hon. Gentleman would object if I were to come in from the Home Office and direct local police authorities and chief constables to do something that he might interpret as not so beneficial to his area. It is important that local chief constables and police authorities make those decisions. I have no doubt that hon. Members in the Chamber and elsewhere will use their influence to shape those decisions, as this debate has effectively done.

The service is an example of far-sighted, good practice. There are issues under negotiation that are not the direct locus of the Home Office or the Department of Health. Points on the matter have been well made and anyone involved in the discussions will be clear about the support of hon. Members for the continuance of co-operation between the health emergency helicopter and the police helicopter.

Shrewsbury Sixth-form College

4.29 pm

Daniel Kawczynski (Shrewsbury and Atcham) (Con): This is a subject that I feel passionately about. The college is a major centre for learning in my constituency, and during the next 15 minutes I have a tremendous opportunity to share some of our experiences of co-location with the Minister and to ask for clarification on certain elements of Government policy.

I start by stating my admiration for the teachers, lecturers and staff of the sixth-form college, who do a tremendous job—I am always in awe of what they achieve. The Minister will know of the tremendous results of the college's pupils. That is primarily down to the professionalism and hard work not only of the teaching staff but of the assistants, management and everyone involved. That is not the problem.

There is no doubt that sixth-form colleges need investment. I was taken around the sixth-form college by Mr. Robert Bland, one of the governors, and I was shown the dilapidated state of some of the rooms. I have no doubt that both colleges in Shrewsbury—the sixth-form college and Shrewsbury college of art and technology—need significant investment.

Funding comes from the Learning and Skills Council. The LSC will allow a community such as mine to apply for funding for only one project at a time, and there is no alternative to that. In our case, the principals have decided to go ahead with a co-location proposal to scrap the Shrewsbury sixth-form college in the town centre and co-locate that college with another—Shrewsbury college of art and technology—in London road.

That is the proposal, and the LSC has told our community that it can have £30 million if we co-locate both colleges on London road, which the principals of both colleges want. However, there is no alternative for the community; there is no alternative for me; there is no alternative for the council; and there is no alternative for the thousands of my constituents who object to co-location in London road, which is in a highly residential area of Shrewsbury.

If the proposal does not secure planning permission, the governing bodies will have to go back to the drawing board. It is much better always to have a back-up plan when trying to secure such an investment, rather than putting all one's eggs in one basket—co-location or nothing—and then having to go back to the drawing board and start discussions all over again.

I disagree with co-location on London road, because it is a highly residential part of the community and it will pull the students away from the town centre, where they have become an integral part of its life and character. My hair is going grey as a result of the controversy; over the last year, I have had to grapple with this issue more than any other. There is huge dissatisfaction among the teachers at the sixth-form college, who are not convinced by the educational case for co-location.

My first question to the Minister is this. What is Government policy on co-location? Is it something that the Government want? Do they want to see colleges co-locating? Is there an educational case for co-location? Ninety-three per cent. of the teachers at the sixth-form college have written to me stating that they do not want co-location. They want independence; they want to be able to carry on as they have done for generations past and make a tremendous success of it. What is Government policy on co-location?

I want to share with the Minister the problems that the community has had in that regard. For the benefit of this debate, I shall mention the three most important people involved in the project. I shall read statements from a Shrewsbury resident who is a parent of three school-age children, a governor who was forced to resign from the sixth-form college over the issue and a lecturer at the sixth-form college.

The parent states that

> "the professional bodies the Highways Agency and the Commission for Architecture and the Built Environment have issued numerous and wide-ranging criticisms of the co-location plans (HA issued a TR110 directing that planning permission not be granted until all the HA's concerns have been addressed and CABE rated the plan's environmental strategies as 'poor', the lowest possible rating)."

I was so concerned about the views of the Highways Agency that I held a public meeting, attended by more than 150 members of the public. The agency has stated on record that it has serious concerns about the prospect of the co-location going ahead in London road, because that would have major ramifications for the A5 and Emstrey island, for which it is responsible. Do the Government share my concerns? I ask the Minister for a guarantee that such a project cannot go ahead as long as the Highways Agency continues to have those professional concerns.

The parent goes on to say:

> "Despite all this, the principals continue to attempt to force their project through. At times there has been scant regard for free speech and democracy (SSFC Code of Conduct issued Nov 07 prohibiting staff from speaking to the media without the Principal's permission), and undue pressure has been brought to bear on individuals, including yourself, (you'll remember the co-location meeting minutes of late Jan 08 which said 'MP will be placed under pressure at appropriate points to curb his random tendencies')."

Those are the minutes of the meeting of the governors of the sixth-form college. They were leaked and given to my office. I am extremely concerned that the governors and principal of the sixth-form college have tried to stifle debate among teachers at the college who object to the proposals.

I come now to the governor of the college who was forced to resign, for whom I have great admiration, Mr. David Holmes, who is head of civil engineering for a major British company. He was forced to resign because he objected to the proposals. He had the temerity to write to my borough council and say that he did not think that the plans were right and that, as a resident, he wanted to voice his concerns. He said that he very much hoped that planning permission would not be given for the project to go ahead. He made the mistake of saying in his letter of objection to the council that he was a governor of the college, and he was forced to resign. Is the Minister happy for governors of colleges to be forced to resign if they object to planning applications?

Mr. Holmes says:

> "I was requested to resign by Philip Morris (clerk) and he told me that this was as a result of a meeting between Bill Dowell"—

the principal—

> "and Robert Bland (chair). I assumed that this had been with broad support of other governors but I subsequently learned that they had not been consulted at all. This is another example of the unassailable power base of the principal".

Mr. Holmes says:

> "There are 16 governors…2 are elected by parents, 2 by staff, 2 by students and 2 are councillors and so have some accountability through the ballot box. This means that 50 per cent. are not elected in any fashion."

I am very concerned about that. What plans does the Minister have to make governors of important learning institutions, such as that sixth-form college, more accountable to the people whom they purport to represent, such as students, teachers, the MP and the local community? It is of great concern to me that so many of the governors are appointed rather than being directly elected to their posts.

Mr. Holmes says:

> "There is no means of holding the governors to account in any meaningful fashion. They do not answer to a single electorate. Parents, for example, can only elect 2 out of 16, a very small proportion".

He says that the principal told him that there were "high levels of accountability". He says:

> "When I asked him who could hold the governors to account he could only come up with the LSC".

Of course the principal says that the governors can be held to account by people going to the LSC, but if someone goes to the LSC, it says, "No, we can't hold the governors to account. You have to go to the governors." That is ludicrous. It allows the whole governing body to be totally unaccountable.

Mr. Holmes goes on to say:

> "The introductory documentation (emailed to you on 13 May) for a person seeking to be an elected parent governor is now intimidating and virtually demands a person who is willing to accept and support all governor decisions without question. Dissent and debate do not appear encouraged. This stifles any fresh thinking."

I am trying to speak in a non-partisan way. I would like clarification from the Minister on those points. I am deeply concerned about the lack of accountability in the governors and the principal, and the fact that everything is somehow falling through that lack of accountability.

Many of the teachers at the sixth-form college feel extremely intimidated if they say anything against the proposals. I have had some 14 meetings with teachers from the college. They have come to see me here at the House of Commons, and I have gone to see them. They are desperately concerned about what is happening. One of the lecturers—of course, I will not reveal her name—put the following questions directly to the Minister:

> "Staff at SSFC met with Bill Rammell in summer of 2007"—

a meeting that I organised for them—

> "who advised them to continue talking to their governors. This was not facilitated by governors and ultimately led to staff passing an overwhelming vote of no confidence in their governors.
>
> In the light of advice from John Denham's office that staff should speak to their governors following an overwhelming vote of no confidence in them, what is the response to the fact that these same governors have now refused to engage in direct communication with staff on urgent and pressing issues?"

The Department has told teachers that they must go and speak to the governors if they have a concern, but the governors have made it quite clear that they are not prepared to talk to the teachers.

> "Those staff who feel compelled to voice their opinions have been and continue to be threatened by disciplinary action; is it acceptable that this situation exists and how does this best serve the interests of democracy?"

We all came into politics for different reasons. I came into politics because of an insatiable belief and interest in democracy, and I will stand up for the interests of every constituent of mine and their right to object to things that affect their daily or professional life in any way they like without threat of intimidation. I am extremely concerned that the trade unions representing those lecturers have not done more to make the management of the college realise that they cannot treat professional lecturers in that way. If we are to make co-location a success, those lecturers are the most vital ingredient.

The lecturer concluded:

> "Why, if the college is so committed to this project on the overwhelming grounds of the 'educational case', have the directors been unable to convince the college staff of the validity of their educational case?"

Those are the points that have been made, and I shall conclude with a few brief remarks. I feel strongly that we need investment for our two colleges in Shrewsbury, but I hope that the Minister will tell me a few facts about the future of the LSC. I have had run-ins on the issue with the LSC chief executive, who came to see me at the House to discuss my concerns. I know that the LSC will be reformed; perhaps the Minister can tell me something about that. I am greatly concerned that Government are giving such autonomy and power to quangos such as the LSC, which make decisions from very far away without knowing the problems of the geography of places such as Shrewsbury, the feelings of my community—the community is overwhelmingly opposed to the move—or the principals, lecturers, teachers, parents and staff, who are also overwhelmingly opposed to co-location. I need an assurance that the Minister will take a personal interest in all the professional problems that the teachers have experienced.

My final plea is given everything that I have said, will he at least consider meeting teachers at the sixth-form college to hear their concerns at first hand, because they can put their case far better than I? I could also arrange for them to visit the House of Commons. Furthermore, will he take on board my concerns about the way in which the LSC has put my community in a straitjacket by saying, "You can have £30 million, if you co-locate your colleges in London road, or you have to go back to the drawing board."? That is not acceptable. My constituents and I want funding and investment for both colleges at their existing, separate sites.

4.45 pm

The Parliamentary Under-Secretary of State for Innovation, Universities and Skills (Mr. David Lammy): I thank the hon. Member for Shrewsbury and Atcham (Daniel Kawczynski) for raising this issue and for the close interest that he of course takes in the future of Shrewsbury sixth form college. As he indicated, he has raised the issue on a number of occasions, and has met my hon. Friend the Minister for Lifelong Learning, Further and Higher Education. The hon. Gentleman has also held a number of meetings—14, I think—in his constituency and has written to the Department for Innovation, Universities and Skills on a number of

[Mr. David Lammy]

occasions. We have been willing and keen to continue to discuss what are very local issues in his part of the world.

We both ultimately have the same aim: to secure the best possible educational provision for the young people of Shrewsbury and the surrounding area. Shrewsbury sixth form college is a good college, according to the latest Ofsted report published in May. However, it recommends that the college should

> "address unsatisfactory aspects of accommodation and social space",

which was also recommended in its previous report, in 2004, prompting the college to look at options for redevelopment. The Government are undertaking a massive capital investment programme to ensure that colleges such as the one in Shrewsbury have world-class buildings and facilities. Hundreds of thousands of learners in communities throughout England have benefited from colleges taking up the opportunity given by our investment. The planned capital investment in the Shrewsbury colleges will total approximately £65 million, to provide fantastic resources for the young people in the area.

In 1997, there was no dedicated capital budget for further education colleges. Over the past 10 years, the Government have invested more than £2 billion ensuring that learners have access to the state of the art buildings and facilities that are essential if we are to meet the skills needs of local communities and young people. As set out in our capital strategy document, "Building Colleges for the Future", a further £2.3 billion will be invested in the estate over the next three years. That investment will benefit generations of learners to come, meet the skills needs of employers and act as a catalyst for community regeneration.

Capital investment plays a crucial role in the Government's implementation of their priorities for young people and adults, as set out in the 14-to-19 reform programme and our response to the Leitch review of skills in England. Capital grants for sixth-form colleges are managed by the Learning and Skills Council. Following machinery of Government changes, we announced our intention to bring sixth form colleges within the scope of the "Building Schools for the Future" strategy document, from 2010-11, so that they can be part of the area-wide entitlement to 14-to-19 provision. We will ensure that our capital investment coheres to support sixth form colleges in the new system.

Modernisation of the college estate is not just about bricks and mortar. It is about creating the best possible learning environments accessible to all learners, and ensuring that young people are excited by learning so that they stay on in education and training. It is about delivering greater specialisation, so that businesses have access to a wider range of industry-specific skills development opportunities for their current and future employees, and about creating community-owned facilities that meet local needs and that can provide an important kick-start for local regeneration. Ensuring that such facilities are accessible to those who most need them is obviously critical, and it is absolutely necessary if we are to maximise the public benefit of the investment that we are making.

Our investment will result in cutting-edge facilities and ensure that our work force have the skills that they need to succeed in a rapidly changing world. The Learning and Skills Council will expect all contractors that access public funding to have in place a formal training plan that maximises access to apprenticeships and work-based learning and training opportunities.

Although we are making significant progress towards modernising our further education estate, we must not do so at the expense of the environment. We will require all new projects to meet the highest building standards for sustainable design and we have a taskforce in place to advise on how to ensure that by 2016 all new buildings will be zero carbon—two years ahead of the Government target for public sector buildings that was announced in the Budget.

Daniel Kawczynski: I am following keenly what the Minister is saying about the environment, but it would be bad for the environment to co-locate colleges outside the town centre, where they would not be close to the railway station. We will have to provide many new buses to transport students from the railway station to a co-located site on the periphery of Shrewsbury. That is not joined-up government. With all respect, I am pleased that the Government are offering vital investment for co-location, but why co-locate? Why can the colleges not have money for their existing separate sites?

Mr. Lammy: I was about to come to that point. The Government's capital investment programme is providing Shrewsbury sixth form college with the opportunity to redevelop its estate to ensure that learners have the best possible facilities in which to learn.

The educational and business cases for co-location are strong. Sharing facilities at the new site will allow learners to access world-class facilities and a broader curriculum offer than they could by staying on the current site. The plans have the support of the local strategic 14 to 19 partnership for education and training, the local education authority and the local learning and skills council. The building design has been developed so that colleges retain their separate identities. They will share the building but have separate governance and management. Separate teaching and learning areas will exist for each college. The premises costs will decrease substantially owing to the modern, efficient design of the new campus.

The hon. Gentleman asked about local decision making and the accountability of governors. I should make it clear that the redevelopment of the college is ultimately a matter for local decision and for the governing body of the college as an independent institution. Such autonomy is important if we are to have a strong further education sector that can shape its own future in response to the needs of learners and employers. It would be wrong and inappropriate for a Minister to intervene directly—I am actually prohibited from doing so by legislation.

To respond specifically to the hon. Gentleman's points about the governing body, we must remember that the decisions of a governing body are corporate decisions. From the correspondence between the hon. Gentleman and the Department, it is clear that the parent governor who resigned because of his opposition to the proposals was aware of the corporate nature of the decision-making process. Having decided to oppose publicly the decision to relocate the college, which he was entitled to do, it is understandable that the corporation felt that his position as a parent governor was untenable. The governor could not be forced to resign outside the corporation's procedures, but I understand that he was asked to resign and did so.

Governing bodies do important work. The governance of Shrewsbury sixth-form college is regarded by Ofsted as a key strength. Independent inspectors found that the college had a strong governing body. My Department has an ongoing programme of work with the sector and the Association of Colleges to ensure that governance arrangements for all further education colleges are strong and that governing bodies are accountable to the communities they serve.

On the process for capital applications, it is crucial that any investment plans by colleges underpin their core mission of providing high-quality learning opportunities while responding to the diversity of their local communities. That means that a college must engage with all sections of the community when starting to plan any redevelopment project, to take into account the needs of the population it serves.

In order to be considered for public funding support, colleges are required by the Learning and Skills Council to demonstrate that their proposals will serve the educational needs of people in their local area. It is certainly not a policy of the Government or the LSC actively to encourage co-location. Indeed, the Government's plans for transforming education for 14 to 19-year-olds include a rich choice of learning opportunities.

The LSC expects a college to put forward the strongest educational case for a capital project based on a comprehensive options appraisal and a feasibility study. It would not make sense for the LSC to make a decision for the governing body about which of its options is the most appropriate. Once the college has submitted its capital proposal to the LSC, it has to go through a robust, multi-stage process in which the educational and business cases are scrutinised. Listening to the views of those who will be affected by the proposals is an important part of that process and is required before planning permission can be granted. We are in that stage now.

Looking in more detail at the situation for Shrewsbury sixth form college, in 2004, the LSC commissioned a review of infrastructure in the area, which concluded that a significant amount of Shrewsbury sixth form college's accommodation was no longer fit for purpose and that the estates do not lend themselves to the kind of flexibility needed for the modern curriculum encapsulated in the Government's 14-to-19 reforms.

I understand that the site has many listed buildings. Much of the Shrewsbury sixth form college estate is subject to planning restrictions, and large areas of both Shrewsbury sixth form college and Shrewsbury college of arts and technology cannot be made compliant with the Disability Discrimination Acts. Shrewsbury sixth form college and Shrewsbury college of arts and technology commissioned separate property strategies in 2004 to inform them how best to address the issues. The property strategies examined a number of alternatives, including redevelopment of the existing college sites, relocation to alternative sites and co-location of both colleges on a single site.

After carefully weighing up the pros and cons of each option, the college governing body decided on co-location, because it presents the best opportunities for the college's future development. Towards the end of 2006, the development of the project was put on hold due to objections to relocation of the sixth-form college from the town centre raised by the hon. Gentleman and a number of the sixth-form college staff. A review of the project was then undertaken, in which all known or current town centre sites for co-location were re-examined and reconsidered in some detail. In view of the aspirations of the educational case and the existing estate issues, continuing on the present site and other alternatives were ruled out. Addressing the objections raised regarding the potential loss of the sixth-form college's distinctiveness and the impact on the town centre and transport has been built into the project execution plan, which is now being implemented.

I understand why the hon. Gentleman does not want to lose the college in his town centre, but after a lot of weighing up of the options, it has been decided to co-locate. In essence, the colleges will remain separate, but it is in the interests of young people in the area that co-location should go forward. That is the determination of the LSC and the governing bodies of the two organisations. The hon. Gentleman dissents from that, and he is entitled to do so, but it would be wrong of the Government to step in, to take sides and disrupt a local process, despite the understandable anxiety caused by changes in local circumstances.

It being Five o'clock, the motion for the Adjournment of the sitting lapsed, without Question put.

Westminster Hall

Thursday 5 June 2008

[MR. DAVID AMESS *in the Chair*]

Biofuels

[Relevant documents: First Report from the Environmental Audit Committee, Session 2007-08, HC 76-I; Fourth Report and Fifth Special Report from the Environmental Audit Committee (Government Responses), HC 528 and HC 644.]

Motion made, and Question proposed, That the sitting be now adjourned.—*[Mr. Roy.]*

2.30 pm

Mr. Tim Yeo (South Suffolk) (Con): I am delighted that the Environmental Audit Committee's report on biofuels, written earlier this year, has been selected for debate this afternoon. I welcome the Minister to his place, and I look forward to debating the important and topical issues raised in the report. I am delighted to see two of my colleagues from the Committee here as well.

Almost three years ago, the Environmental Audit Committee decided to make climate change its main theme during this Parliament, in recognition of the growing urgency of the threat of climate change and the cross-departmental nature of most issues relating to it. It did so also in recognition of the overriding need, supported by the latest scientific evidence, to keep greenhouse gas concentrations in the atmosphere at levels low enough to avoid dangerous and irreversible climate change.

As part of that work, the Committee decided to explore the role of biofuels in reducing greenhouse gas emissions from transport. Almost a quarter of the UK's emissions come from transport, and that figure excludes emissions from international aviation and shipping. In passing, I stress the Committee's view that the continued exclusion of aviation and shipping threatens to undermine other efforts to tackle climate change. I hope that that will soon be corrected. The Climate Change Bill, whose Second Reading will take place in the House next week, could provide the first opportunity to recognise that international aviation and shipping should be brought within the calculations.

Transport is the only sector in which carbon dioxide emissions were significantly higher in 2005 than in 1990: they increased by 11 per cent. during that period. The Government have backed biofuels because they see them as one means of reducing transport emissions. The idea is that mixing biofuels made from crops with fossil fuels will reduce greenhouse gas emissions from road transport.

As biofuels policy touches on climate change, agriculture, transport, technology, trade and a host of other issues, the report, like many of our other reports, considered issues that cross departmental boundaries. We found that although biofuels such as bioethanol and biodiesel can reduce greenhouse gas emissions, the potential environmental impact of supporting biofuels was not adequately considered before the policy was introduced. We concluded that biofuels are not the best way to reduce emissions using the UK's bioenergy resources, and that there are other, better and more cost-effective ways to reduce emissions from transport.

As most biofuels are produced intensively from agricultural feedstocks, a large increase in demand for such feedstocks might have serious environmental consequences. Natural England recently reported that the natural environment is much less rich than it was 50 years ago. That is due in part to the damaging impacts of agricultural intensification. We found that biofuel support mechanisms are likely to increase the value and therefore the production of intensively farmed crops, adding to the damage that has already been done. We have seen what impact high commodity prices can have in terms of the loss of the set-aside land important for wildlife. It could also cause increased use of pesticides and fertilisers and lead to water shortages. At some point, commodity prices might become so high that farmers choose to opt out of agri-environmental schemes altogether, reversing the environmental improvements that such schemes have so far delivered.

Perhaps more seriously, the policy might also have global environmental impacts. Biofuel feedstocks are internationally traded commodities. Palm oil is one example. Although only a small fraction of palm oil is used to make biofuels at present, existing demand already creates a significant incentive to destroy highly biodiverse rain forests. The United Nations estimates that the combined effects of logging, fire and palm oil production could result in the total destruction of Indonesia's lowland rain forest as soon as 2012. It is therefore utterly wrong to intensify the pressure by creating another market for palm oil, and it is doubly wrong to do so in the absence of effective safeguards to prevent deforestation.

The impact of deforestation is extremely serious. It has been calculated that between 2008 and 2012, deforestation will cause the release of 40 gigatonnes of carbon dioxide. That is more than the total emissions from aviation from its invention until at least 2025. The Government have argued that their biofuel targets are cautious, but meeting the UK's 5 per cent. by 2010 biofuels target could require anywhere between 10 and 40 per cent. of this country's arable land. Using that much land to produce biofuels to meet even that relatively low target, when the impact on emissions would be marginal at best, is simply not justified.

The Government argue that sustainability standards will prevent such environmental impacts. Our report concluded that that is unlikely to work. Research commissioned by the Swiss found that in many cases, the damage caused by fossil fuels might be less than that caused by some biofuels in terms of acidification, fertiliser and pesticide use, biodiversity loss and air pollution. As a result, Switzerland supports only those bioenergy technologies that have a smaller environmental impact than fossil fuels, which excludes nearly all of them. The European Environment Agency came to a similar conclusion, recommending that conventional biofuels should be phased out and replaced with biomass crops that cause less environmental damage. In terms of biofuels' international impacts, there is no effective international system to prevent deforestation or ensure sustainability. Despite that, the Government and the EU press ahead with their policy, ignoring the damage that it will cause.

It could be argued that the negative environmental impacts might be justified if biofuels provide an effective means of reducing greenhouse gas emissions. After all,

[Mr. Tim Yeo]

climate change could have even more disastrous impacts for the natural environment. However, in our inquiry, we discovered that biofuels could be one of the worst ways to use land and bioenergy resources to tackle climate change. In some cases, we found that biofuels might even increase emissions. It is important to follow policies that ensure that land is used effectively to mitigate climate change. To do so, they must ensure that the full range of possible land uses for mitigation is considered, such as maintaining carbon-storing habitats or even recreating habitats on agricultural land.

If forests are cleared to produce biofuels, it could take up to 50 or even 100 years for the biofuels produced to make up for the initial release of carbon. Reforesting land can also sequester two to nine times more carbon over a 30-year period than using biofuels can save. Natural habitats deliver cost-effective carbon mitigation and deliver wider ecosystem service benefits. Perhaps there should therefore be greater emphasis on a biological rather than technological solution.

If it is decided that bioenergy production can be justified in an area, the most effective bioenergy crop should be chosen. The Government have done work on the subject. In developing their biomass strategy, they found that biofuels are the least cost-effective way to use bioenergy to reduce greenhouse gases. Growing biomass crops such as miscanthus and burning them to produce heat and electricity can reduce emissions by more at a lower cost than using the same land to produce transport biofuels. For example, if a farmer uses wood chip grown on their land in a boiler, the cost to reduce carbon dioxide by 1 tonne is £36, but if the same farmer grows wheat to produce biofuel, it might cost as much as £152 to reduce carbon dioxide by the same amount.

In addition to the cost benefits, biomass crops also tend to have lower environmental impacts, and greater volumes can be produced sustainably. Although in some specific cases biofuels might reduce emissions more than biomass, current policy fails to ensure the most efficient use of our finite bioenergy resources—resources that could make a significant contribution to low-carbon energy production if used appropriately.

If we do not use biofuels, how should we tackle the problem of transport emissions? It would appear that policy measures such as behaviour change, better land-use planning, modal shift, eco-driving and simple fuel efficiency might be more effective and cheaper. The Commission for Integrated Transport calculated that such policies could reduce greenhouse gas emissions from road transport significantly without the environmental risks associated with biofuels. We do not say in our report that there is no future role for biofuels. So-called second generation biofuels not produced from conventional crops could have smaller environmental impacts and greater greenhouse gas savings. However, as the Royal Society recently pointed out, current policy will do little to stimulate their development. Instead policy will tend to stimulate and create an incentive for existing environmentally damaging technologies. An OECD report concluded that it is likely to be more cost-effective to support research and development into second-generation biofuels than to create markets for first-generation biofuels.

Such concerns led the Committee to call for a moratorium on biofuels. We felt that until the technology improves, robust mechanisms for preventing land use change are introduced and international sustainability standards agreed, there is not enough justification to carry on with the current policy. However, the impact of biofuels on food prices has further added to the need for a fundamental reassessment of the policy. In April, the International Monetary Fund reported that food prices have increased by 45 per cent. since the end of 2006. There have been riots in some countries as poor people find that they cannot afford basic foodstuffs. Although biofuels are not the sole reason for those price increases, the IMF concluded that biofuel production was seriously affecting food markets. Some 20 to 50 per cent. of certain feedstocks in major producing countries are being diverted to biofuels. The IMF also concluded that less ambitious biofuels policies would lower pressure on food prices.

To their credit, the Government have asked the Renewable Fuels Agency to consider food prices and other indirect impacts of biofuels. I look forward to the report, and trust that the Government will heed its recommendations. Having said that, although I welcome the fact that the Government are seeking to shed more light on the impacts of biofuels, I am concerned that the review will not necessarily investigate all the issues raised in the Committee's report. The scope of the review seems to take it as read that biofuels are an appropriate policy measure. It appears to focus on what measures would be required to lessen the negative impacts of biofuels, rather than on whether biofuels should be supported at all. I seek an assurance from the Minister that the review will examine the wider rationale for supporting biofuels.

We heard in the course of our inquiry that policy makers in the UK and European Union initially believed that biofuels would provide an ideal alternative to farming subsidies as well as delivering environmental and fuel-security benefits. Unfortunately, it turns out that the benefits might largely fall to arable farming, and not in a way that delivers a sustainable outcome. By failing to move away from supporting conventional intensive crops, the UK and EU have failed to ensure that overall land management becomes more sustainable and that we get the most out of our bioenergy resources.

Ultimately, I feel that the Government are in a difficult situation with regard to biofuels. Other EU countries might be reluctant to reform the policy because of the impact on their agricultural sectors. Only robust evidence will counter their arguments. We need to produce conclusive evidence that demonstrates how we can make the most of our sustainable bioenergy resources. That might indeed conclude that there is a role for biofuels, but it might also conclude that support should be given to other bioenergy technologies or to ecosystem management. More emphasis should also be placed on other ways of cutting emissions from road transport, including accelerating the switch to lower-emission vehicles.

Climate change is too big and urgent a problem to make ill-informed policy decisions. More information is needed to ensure that greenhouse gas emission reductions are maximised in the most cost-effective way and to ensure that the UK's fledgling bioenergy industry develops in a way that gives it a sustainable, long-term future. I urge the Minister and the Government to take on board the report's recommendations—even those that they have not initially welcomed publicly. I commend the report to the Chamber.

2.45 pm

Joan Walley (Stoke-on-Trent, North) (Lab): I welcome this opportunity to discuss the Environmental Audit Committee's report, "Are Biofuels Sustainable?" I thank our Chairman, the hon. Member for South Suffolk (Mr. Yeo), for presenting such an informed summary of the Committee's detailed work. I am really pleased to see so many Committee members here today and that so many people want to speak. I hope that my contribution will support the Minister in the leadership role that we feel he ought to take in Europe.

Our report is unprecedented: we took evidence, produced our report, gave it to the Government, received their response, and then sent it back again, with the following recommendation:

> "Without standards for sustainability and safeguards to protect carbon sinks we believe policies that encourage demand for first generation biofuels are damaging. We reiterate our case for a moratorium on policies aimed at increasing the use of biofuels and urge the Government to resist attempts to increase EU biofuel targets."

We want to put that recommendation in the context of the current debate.

Earlier this week, we debated energy from renewable resources and the strength of the European Scrutiny Committee's report. What came out of that debate was that it is essential to have the right environmental objectives, but that if we do not get the instruments right, we will undermine the whole principle of environmental sustainability. We need environmental objectives and we must do all we can on renewable energy, and sustainable transport and energy, but if the outcome is flawed and brings with it unintended consequences, as are only now coming to the fore, we shall be doing the environmental movement a great disservice.

It is time that the Government took a deep breath and considered how they can use the evidence and scientific base set out by our Chairman to inform the debate taking place on the international and European stages. I make that point in light of the fact that this week is the European Parliament's green week. I would like to share with hon. Members the opening speech made by the Environment Commissioner, Stavros Dimas, when he set out all the different debates taking place in the European Parliament and Commission. He said:

> "European environmental policies have delivered immense benefits to Europe's citizens. Their air is cleaner, their beaches and rivers are cleaner and pollutants such as lead in petrol have been banned."

However, he went on to say that

> "sometimes we need to take a step back and look at just how far we still are from a model of development that is genuinely sustainable…Biofuels are a good example. This single term covers a wide range of products that are, in fact, very different in their impacts. The carbon saving a biofuel offers compared with a mineral oil fuel can vary from well over 50 per cent. to virtually zero, depending on what kind of biomass it is made from and where this is grown. The same factors make for big variations in the extent to which biofuels add to pressure on land resources or contribute to pushing up food prices. It is for these reasons that the European Union is drawing up binding environmental and social sustainability criteria that biofuels sold in Europe will have to meet".

I know that the Minister takes these things seriously, because many of the issues that we are raising today were flagged up during the statutory instrument proceedings, at which we were both present. Many of the concerns that subsequently became evidence in the Committee's report were present in that debate. It took place a couple of months ago, and now we have the weight of our Committee's report, which I hope will give the Minister ammunition when he takes part in all those debates in the European Commission, so that he can use our evidence and share our concern that, at the very least, there should be a moratorium.

I am conscious that over the weekend there is an EU Energy Council, at which the Government will be present. I should like the Minister, during today's winding-up speech in response to the report, to say how he will use the Gallagher report, which the Government commissioned, to inform the EU Council debate this weekend. I should like him to confirm for the record the current situation with the Gallagher report, because my understanding—borne out by the statutory instrument debate about renewable transport and the fuel obligation—was that the Government would conduct various reviews and ask Ed Gallagher to produce the report, which he would then use to help us reach the sustainability standards that we want.

I understand that the report is due out on 26 June, but I understand from Friends of the Earth that a draft presentation of it took place earlier this week, or last week. We shall not have seen the full draft report before those important discussions in Europe, so I simply want the Minister to comment further on its terms of reference, and to share with us the reason why the draft report has not been made available in full, and whether it expresses any concerns that support our Committee's recommendations in response to the wide-ranging evidence that we received.

The most important point is that we must have sustainability standards. If we are to have them by 2011, and we are introducing the obligation for biofuels but do not have the sustainability standards in place now, that will have a real impact and undermine all that we are trying to do. It might stop us developing other transport policies that could get us to where we need to be without going down that route. It is also essential that the industry has some certainty and knows which direction to take.

The most important thing is that we establish the sustainability criteria, and then we can see exactly what part biofuels have to play. In the meantime, I urge the Minister to look very seriously indeed at our proposals for a moratorium—at least until we have those standards.

2.53 pm

Mr. Nick Hurd (Ruislip-Northwood) (Con): It is a pleasure to see you in the Chair, Mr. Amess, and to register my support for the report by the Committee, on which I serve. I apologise in advance, because I shall have to leave the Chamber before the end of the debate.

What strikes me about the context of the debate is the degree to which the ground has shifted, and continues to shift very fast indeed. The context, as the Committee Chairman, my hon. Friend the Member for South Suffolk (Mr. Yeo), clearly set out, is the imperative of climate change. In that context, what has changed since Governments started to formulate policy in the area is, as the scientists tell us, that the problem has got bigger

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and the urgency greater. What has also changed is that the gloss has started to come off the UK's performance, as it has become clearer that emissions have risen, not fallen, over the past 10 years, and that the transport sector, which we are discussing today, remains absolutely stubborn in terms of our ability to reduce emissions from it.

A further, recent, change is the mood music around biofuels, which some years ago were seen as a win-win opportunity to create benefits for the agricultural sector as well as for the environment. That has unwound dramatically over the past year. Another change is the economic context of the debate: the economic prospects for the UK and the world, and public finances.

The central theme that I shall address is the cost-effectiveness of policy, which underpins my belief that the Government must think much more carefully about biofuels, because they are vulnerable, nowhere more so than in the renewable transport obligation and the renewables obligation. I shall compare the two instruments, because they are structured in similar ways. I am encouraged to make that comparison by the Minister's remarks in evidence to the Committee when he was pressed on whether he felt that the biofuels policy would be cost-effective. He said he hoped that it would be at least as cost-effective as the policy on wind farms. That filled me with horror, because the facts tell a different story about the cost-effectiveness of the Government's policy on renewable energy and wind farms. That is relevant because the renewable transport obligation is structured in a similar way and has been lacerated by independent organisations such as the National Audit Office and Ofgem in respect of its cost-effectiveness.

I am afraid that the facts now speak for themselves: we have one of the lowest deployment rates for renewable energy in the European Union. It costs British taxpayers—our constituents—£1.4 billion a year. The cost per tonne of CO_2 abated is estimated to run at well over £100, compared with a price in the European carbon markets of about €26. Rather than stimulating next-generation technologies, the policy is shunting public money towards mature and controversial technologies such as onshore wind. It is controversial because of the public's limited acceptance of the technology and, in terms of overall contribution to greenhouse gas emissions, because of its intermittency and the need to have back-up conventional energy to support it.

The policy was undermined by the Government's failure to put in place necessary complementary planning process and grid access policies. The problem is worse when one looks at what the European Union encourages us to do, quite rightly, considering the scientific context of the debate. The EU says that we need to go further and faster with renewable energy. Its targets set an enormous challenge for the country, which, as we now know through leaked documents, the Government acknowledge will be very demanding and, presumably, expensive. The Government are reluctant to reform existing policy instruments for fear of unsettling existing investors.

Mr. Robert Goodwill (Scarborough and Whitby) (Con): Is my hon. Friend aware that Denmark, the EU member state with the highest level of wind generation, also has one of the highest levels of CO_2 output per capita?

Mr. Hurd: That is an interesting intervention. While we are making comparisons with other countries, my hon. Friend might be interested to know that one town in Germany, Freiburg, deploys more solar power than the whole UK—a powerful statistic that underlines the weakness of existing policy instruments to support renewable energy in the UK.

My point is to preach caution on the renewable transport obligation, because it is structured in a similar way. On the level of subsidies, the Global Subsidies Initiative, in evidence to the Committee, referred us to its report, "Biofuels—At What Cost?", which found that in 2006, the EU and individual member states subsidised biofuels by about €3.7 billion, taking into account all support mechanisms. The figure is set to rise, given the direction of travel of public policy throughout Europe. The GSI estimates that the cost of biofuels policy per tonne of CO_2 abated is 10 to 20 times that of the carbon price in the markets. It cites, for example, the cost of obtaining a reduction of 1 tonne of CO_2 equivalent, using ethanol from sugar beet, at between €575 and €800, and at more than €600 for biodiesel made from rape seed.

As with the renewables obligation, public money is focused not on second generation technologies, but on first generation biofuels, with very little differentiation according to their carbon efficiency and integrity—if I may use that expression. As with the renewables obligation, there has been a lack of preparation and groundwork for the implementation of policy. There is a lack of mandatory sustainability standards that mean anything, and a lack of thinking through the consequences, as the Chairman put it, in relation to the impact on food prices and damage to the wider environment.

Unthought-through, badly implemented policy carries a tremendous risk of alienating the public. The mood music has shifted in relation to biofuels, and I am concerned that we run the risk of labelling all biofuels as bad and of alienating the public from the debate, as happened with genetically modified crops and other issues. The report stresses that there is room for the right types of biofuel, and we want public policy to focus on supporting them. I completely support the messages of the report, which are to proceed with caution and, just as important, to preach caution at the EU, where there has been some change in rhetoric from the Commissioners. However laudable the principles and objectives behind the stretch targets that have been set, they none the less raise important issues.

If we are to proceed, let us do so on the basis of robust standards of sustainability—not before we have them. Let us proceed on the basis of much better co-ordinated policy across Europe that focuses public money on technologies that will make a big difference at an acceptable cost. We should not see biofuels as an agenda for channelling soft subsidies to the agricultural sector, because the public will not wear that. Woolly, unthought-through policy carries the danger of alienating the public at a time when it is critical to engage them with climate change. I urge the Government and the Minister to think again.

3.2 pm

Ms Dari Taylor (Stockton, South) (Lab): It is always a pleasure to speak in Westminster Hall with you in the Chair, Mr. Amess. I extend that compliment to the hon.

Member for South Suffolk (Mr. Yeo), whom I congratulate on securing the debate and on publishing a thoughtful paper on the sustainability of biofuels.

Many of us—not only Members of the House, but other people—are talking about climate change, transport costs, greenhouse gas emissions, land and food scarcity, food prices and deforestation. We are discussing the fact that the west is benefiting while the east is certainly suffering. Those comments have been made time and again, and they all feature in today's debate, which is important. I support biofuels and the work that has been done to date, but I accept that there is a critical need to ensure that it is sustainable in terms of land usage, food and food prices. We are moving in the direction of achieving sustainability through the delivery of a biofuels policy that is of value to us all.

I have companies in Teesside that are very much involved in the production of biofuels. I would hate anyone to believe that a non-scientist would think that she has a very clear and careful understanding of what is going on in the biofuels world simply because she shows an interest. I do show an interest, but my companies are very informative. Some people might see that as a conflict of interest, so it is important that I state that I have knowledge of and a relationship with companies such as Ensus, Agrovista, SembCorp and Petroplus. All of them have, in their different ways, produced information knowing that this debate would take place today. The hon. Member for South Suffolk smiles knowingly, and he is right to do so. Of course, we all want to support our areas. We think that our work is important and, consequently, we want to ensure that the full facts are presented. I shall therefore attempt to produce some facts that are different from those outlined in the excellent report. I do so having knowledge of the companies that I have mentioned, but I should like to persuade the House that I am no easy pushover.

It is not inevitable that I would support companies on Teesside just because they are in an area through which I travel to work—they are not in my constituency—but the work that I have seen being done with waste products, rape-seed and wheat is based on rigorous scientific research. I am absolutely convinced that when I read scientific documents from those companies, they present information factually and carefully. I believe absolutely that those companies have integrity. Of course, they want to develop and produce, but they also want to believe that they are doing something of value in Britain. I have no doubt that at the end of the debate, either the hon. Member for South Suffolk or I, or both of us, will be presenting my companies with the information that his Committee has produced. We will also want answers. It is crucial to this complex debate that we have answers.

The companies that I have mentioned are rigorous and have integrity, and I know from my conversations with them that they, too, are concerned that sustainability is an absolute. They are pinning an awful lot of their hopes to deliver sustainability on the reporting mechanism that has been put in place. That mechanism requires that, at every point, all that is being done within the science is known within the community, so that we know whether there are downsides to the science as well as upsides. I am equally aware that we have to be cautious, because the reporting is referencing the renewable transport fuel obligation, and there is a sense that the relevant body will want positive rather than negative outcomes. Nevertheless, reporting will be fair, accurate and comprehensive. They tell me that if Europe produces a renewable energy directive, they will support it.

We have a serious problem. There are no doubts about oil and energy scarcity, and food prices and food scarcity issues are absolute. I am aware of the problem, and know that we need answers, but I do not want a solution that might last a few years and then we are sunk again. That is the last thing that any of us in this House wants. Today, I am trying to persuade the House that my companies are careful in their scientific exploration and in their delivery—I hope that I am succeeding in part, if not in total.

I highlight in particular Ensus's evidence on the indirect effects of biofuels in relation to a study by the Renewable Fuels Agency. The evidence that I have found has been confidently and carefully outlined, and it adds to the debate. It is factual, but what really strikes me, as a non-scientist, as being valuable is the fact that that evidence is to be scrutinised carefully by a peer review. All of us who have ever been involved in peer reviews know that if there is anything critical to be said, it will be. For most of us, there is nothing better than telling others in the same profession, "You've got it wrong." The peer review is therefore very valuable.

On that basis, I want to persuade hon. Members to consider Ensus's evidence that sustainability is a factor and that viability is an absolute factor. I suggest that they look at some of the evidence that the company produced, because the work that it has completed and the work that it is doing make it clear that biorefining wheat in the right way can already achieve greenhouse gas savings of in excess of 60 per cent., compared with the continued use of fossil fuels. That is a very real bit of information, and we must look at it. If validated—indeed, it has been today—it must contribute significantly to the debate on this issue.

The company's information also notes that the effective use of wheat protein concentrate—the co-product of biorefining—as animal feed can significantly improve the efficiency of the food chain in Europe. That gives rise to the further belief that using wheat protein concentrate in that way can release land outside Europe that is currently used to grow soy that is imported into Europe for animal feed. Releasing that land will have a serious impact on reducing the pressure that leads to deforestation, and that is valuable information. It compares with the information in the Committee's report and should be put into the mix when we decide whether to continue with and invest in biofuels, as I hope we will. It is clear from my reading of the Ensus and Petroplus reports that we could achieve fuel security and carbon savings if we can be absolutely reassured, as I am, that this is the way to proceed.

As I said, I will put the Committee's report into the hands of my companies. I want answers, because this debate cannot be a one-off. I am concerned when the hon. Gentleman says that first-generation biofuels are inefficient. I am concerned when people say that carbon emissions from the machinery used in agriculture and from soil disturbance are problematic in terms of carbon emissions. I am concerned when I hear that nitrous oxide emissions from fertiliser applications and emissions from the energy used to convert feedstock into liquid fuel are problematic. I am concerned when I hear that

[Ms Dari Taylor]

the transport of feedstocks adds to carbon emissions, rather than reducing them. Those serious criticisms must be answered.

When the hon. Member for South Suffolk says that he is concerned with the change in land use, however, I find his argument less convincing. Farms in the north-east are going through a vibrant period, and they know that there is much more to come. Farmers are being given a lifeline that they have not had for years. I am not, therefore, awfully convinced by the hon. Gentleman's criticism.

The report says that food security and demand for biofuels have led to higher commodity prices, but I would ask the hon. Gentleman to put other things into the mix. How about poor harvests? How about animal diseases? How about demographic changes? How about the fact that we in Great Britain waste 40 per cent. of our food? If we are to state the case, let us do so completely, not in part. It is important for us all that we do that.

Jo Swinson (East Dunbartonshire) (LD): The hon. Lady is right to identify the reasons for recent rises in food prices, but in the evidence that we received, the UN special rapporteur on the right to food described the production of biofuels in terms of a crime against humanity. Does the hon. Lady not accept that if someone in an expert position takes that view of the issue overall, there must be very serious concerns, which cannot be dismissed?

Ms Taylor: I am sorry, but I am far too old to accept experts per se. The hon. Lady said what she did with serious integrity, and I respect that absolutely, but I am far too old—I will not say how old I am—to be taken in. Over the past 40 years, I have seen many expert reports that have been shelved. I do, of course, take note, but I am not absolutely convinced.

To conclude, I cannot support the Committee's recommendation that a moratorium should be placed on the work and research that is being done on biofuels or on their usage. The technology is persuasive, and I am looking forward to much more being achieved. We have an urgent problem. On the whole, climate change is destructive, and it is time that we put our minds to tackling it. Our energy demands are increasing significantly, but supply is decreasing. We must therefore press ahead with biofuels and hope that they achieve all that they are capable of achieving.

3.17 pm

Jo Swinson (East Dunbartonshire) (LD): As always, it is a pleasure to serve under your chairmanship, Mr. Amess. I congratulate the hon. Member for South Suffolk (Mr. Yeo) on introducing the debate, and it is good to see many members of the Committee here. It is also good to have the input of hon. Members who are not on the Committee. I always think that it is useful for Select Committee reports to have a wider airing in such Westminster Hall debates and for us to have contributions not only from those who have sat through all the evidence sessions.

This is a timely debate, although that is perhaps fortuitous, rather than necessarily by design. The Committee's inquiry took place at an important time in terms of the issue of biofuels. As we took our evidence in the months leading up to the publication of the report in January, there was a huge amount of public and scientific debate about the issue. More and more organisations came out and reached some of the same conclusions as the Committee. Whether it was the Royal Society, the UN, the OECD or the Government's own chief scientist, more and more people and organisations questioned the wisdom of our relentless pursuit of biofuels.

I joined the Committee last July, and this is the first time that I have served on a Select Committee; indeed, this is one of the first full inquiries that I have sat through. Having spent two years without being on a Select Committee, I found the experience incredibly refreshing. In politics, we generally take a position and then justify it. What I enjoyed about being on a Select Committee was that we took an issue in which we were interested, listened to all the evidence and then took a position. If there were more debates like this, and if the work of Select Committees got more publicity, the reputation of the House might be somewhat elevated in the minds of the general public.

I am interested in the environment and I am keen to tackle the problem of climate change. Before the inquiry, my general view on biofuels—I was not particularly informed, beyond reading the newspapers—was vaguely positive. They seemed quite a good idea, because we have major problems with pollution from road transport, and there seem to be few easy ways to wean ourselves off our addiction to the car as a means of getting around. Biofuels would seem to be a sensible way to solve part of the problem.

My only other experience of biofuels was about seven years ago, when I was living in Yorkshire. A friend was involved in a company that produced biofuels from used and waste cooking oils and was lobbying the Government to introduce a lower fuel duty on biofuels and make them a viable prospect. I thought that that was a very good idea and was delighted when the Government made that tax change and enabled such companies to prosper and sell their product to the market.

That was my initial view as I began the inquiry. However, I have been quite surprised by the evidence and the conclusions I have reached on biofuels. On a superficial level, we can all agree that the idea is sound, and that there are many biofuels, as we learned in the inquiry, that are in all ways good for the environment. Used cooking oil is one such instance. Rather than being treated as a waste product to be sent to landfill or pollute our waterways it is reused, and there are not the negative effects of land use change. That is definitely the type of product that we should support. Similarly, Brazilian sugar cane seems to tick all the boxes for sustainability and the efficiency of the product. The evidence that we heard was to some degree mixed, but there seems to be some cause for optimism about second or third generation biofuels and the possibility in future of harvesting more of the plant and getting a much better carbon reduction for the same amount of crops.

There is definitely some merit in the biofuels arena, but the damaging effects have been well documented—and highlighted in the debate today. It is not always certain that there will be overall carbon emission reductions, because of the amount of fertilizers and oil-based products that go into producing biofuel crops in the first place. There is an impact on food production and availability around the world; as we have heard, what is happening has other causes too, but I do not lightly dismiss the view of the UN expert I cited, and we would be unwise to do so. From a general, common-sense point of view, it is logical to conclude that if a farmer will get more money from growing biofuel crops than from growing food, with a consequent change in land use, there will be an impact on food supply in other countries, and particularly in some developing countries where there are general food shortages and great problems. The related issue that really struck me was deforestation, and the clearing of land for the growing of biofuels. Of course, we know that deforestation is one of the biggest causes of carbon emissions. About a fifth of the world's carbon emissions each year come from that, so it is hardly smart to clear forests to grow biofuels to make some reduction in the carbon emitted by road transport.

In the light of all those issues in relation to biofuels, it would seem clear that we need robust sustainability and emission reduction standards, so that customers can be certain when they buy fuel containing an element of biofuel that it will reduce a vehicle's overall emissions, and that it has been produced in a sustainable manner. That is why, as the report outlines, it is a matter of great concern that we have gone ahead with the target this year before those standards have been established. That rush is one mistake.

Another worry that arose in the evidence sessions was about trying to work out whether it is possible to create sustainability standards that are robust enough. It might be possible, and is more likely, in the case of UK production, where we have more control over regulation and accountability. However, how is it possible for sustainability standards for biofuels produced in other countries to capture the prospect, not necessarily of deforestation to grow biofuels, but of changes in land use from food crops to biofuels, followed by deforestation to grow food crops? The causal links may not be clear; they may be impossible to capture within sustainability standards. That is hugely likely to result in an increase in overall emissions. Until we manage to deal with such thorny issues about sustainability standards it is difficult to know how we can be confident about reducing emissions by going ahead with biofuels.

The value for money issue has rightly been raised. The hon. Member for Ruislip-Northwood (Mr. Hurd) talked about it. The amounts of money that we are considering are very significant. From the renewable transport fuel obligation alone £500 million of revenue is lost to the Government. We must ask ourselves whether that is the best way of using £500 million to reduce emissions and tackle climate change. We need to consider the sums being spent on other initiatives and the results that can be achieved from promoting better, environmentally friendly driving, or energy efficiency. The latter is always the Cinderella of the climate change arguments, because everyone agrees that it is the best and probably the cheapest way to tackle climate change, but it is at the bottom of the pile for allocation of money and resources. Another suggestion made in evidence for improving the way we use such sums of money to tackle carbon emissions was avoiding deforestation schemes, or, indeed, using reforestation schemes to set up more carbon sinks. The value for money question has been left very much unanswered.

I understand why biofuels seem such an attractive solution from the point of view of the Department for Transport, and the elegance of being able to tell people they can keep driving and continue with the same behaviour, and that that will be fine because we shall reduce emissions none the less. There is a place in policy making for ensuring that people can continue with some of the same behaviour, but reducing the carbon impact of that. Indeed, some of the work that is happening in Europe and that the Government have been promoting, on cleaner vehicle standards, is a very good example. Obviously, that is a pain-free way to reduce emissions. However, it is not a silver bullet and we must also grasp the nettle of behaviour change. Some of the relevant resources might be better spent.

The hon. Member for Stockton, South (Ms Taylor) talked about the priority for tackling climate change, and the Committee focuses on little else in its inquiries. I know that all its members are very committed to tackling climate change. What we were trying to explain in our report was that biofuels may not be the best way to do it, and that there are many other alternatives that we could pursue with the same resource, which would be more cost-effective. Given all the problems I have described, the current targets, by pushing and rushing towards biofuels, are counterproductive. That is not to say that biofuels cannot play an important role. However, we need to take stock and halt our rush towards biofuels until we can iron out some of the problems.

The Government, to their credit—it is not often that I say that—announced in February that they would review biofuels. That is very welcome. Governments are often criticised for U-turns, but it is not a sign of weakness to change one's mind when the facts change. The situation in the past few months has been changing rapidly. Many more reports and documents and much more information have been available to highlight the concerns. The issue is not for the Government only, as has been mentioned. It is an EU issue, because we are tied into the targets through the European Union. Indeed, the EU has been taking the lead on climate change in a global way. I am sure that the targets were put in place for the right reasons, and that that was very well meaning. However, the science has moved on somewhat, and we have a different understanding of biofuels. It is time to revise the targets down, until the sustainability concerns have been addressed. I hope that the Government will use their voice in Europe to discuss with our European partners how we can progress the issue at European level, stop the rush, take stock, and make sure that sustainability standards are in place and the issues are dealt with, before we go headlong into promoting biofuels.

I know that the Minister has a genuine desire to reduce transport emissions. The importance of the issue on both sides is symbolised by the to-ing and fro-ing of reports between the Government and the Committee, trying to see whether they can reach a common position. The Government have started to move on the issue, and I encourage them to move further and recognise that we need to stop the rush towards biofuels until the serious and real concerns about sustainability have been addressed.

3.30 pm

Mr. David Drew (Stroud) (Lab/Co-op): I will not detain Westminster Hall long, Mr. Amess. I pay tribute to the Select Committee for its report, which makes

[Mr. David Drew]

some very interesting recommendations. Obviously, it is in some dispute with the Government over how it wants to go forward.

May I also plug my own Select Committee, the Environment, Food and Rural Affairs Committee, which, if nothing else, got in first? We considered climate change and the role of bioenergy a couple of years before the Environmental Audit Committee. I do not want to get into Select Committee wars, but we are considering a moveable feast—something that has a different context now. The two Committees, however, came to somewhat different conclusions. I wish to dwell on a few of the issues at the heart of those differences.

Clearly, we can agree on some things. We were quite agnostic about the current generation of biofuels because we did not see them as a long-term solution. That was why there was a big call to go to the second generation as quickly as possible, particularly, and crucially, for air transport. We considered the notion of synthetic kerosene in some detail, but I will not bore the House with trying to explain what that can do. It certainly has opportunities.

As part of our inquiry, we visited Brazil. In a sense, Brazil is central to our dilemma. We can all put up our hands and say, "It is terrible what is happening to the Amazon." We all sign our petitions. We probably all send out these NGO cards to ourselves about what we must do to forestall this terrible degradation of our world. Yet, at the same time, one of the reasons why the Brazilian economy has been so successful is because it began to use molasses, a by-product of its sugar industry, to form bioethanol, which went into producing hybrid cars, and we were in complete awe. Basically, the Brazilian Government went to the car manufacturers and said, "You will, over a period of time, increase the blend, otherwise you will not produce these cars in this country." That was the slap of firm government. Obviously, there are dangers in that, but they proved that they could take on an industry and change the nature of the world in so doing.

We now have biodiesel blends. The first garage that introduced the blend is in my constituency—I won't embarrass them by saying where it was. Now biodiesel is offered as a matter of course. My key point, and I do not want to labour it for long, is that we considered issues around the biomass taskforce under Sir Ben Gill. I will be very careful what I say because the Opposition spokesperson is here, but agriculture was on its knees—it is always on its knees—and this seemed a clever ruse to rebuild the arable sector. Three years on, we have extremely rich barley barons—as I said, I will be very careful. Three years is not a long time in policy evolution. Yet we have seen a huge change. We are now talking about food shortages, the price of food and people whose income was on the floor three years ago being the richest people in the country.

Ms Dari Taylor: Does my hon. Friend also accept the findings of the Renewable Energy Association that the additional land needed for biofuels could be 75 million to 220 million hectares? The important point is that that will account for 2 per cent. of productive land by 2030. Will my hon. Friend acknowledge that we are not talking about taking masses of land away from food production? We are taking a very small amount.

Mr. Drew: My main justification for speaking today is to argue for some balance in the way in which policy evolution takes place, for that reason. Of course the biofuels policy has to be sustainable. It has to be sustainable not just here but in the wider world. Again, I am sure that this debate has to be had in Brazil. If it is not, then, to me, the choice between death by poisoning or death by slashing our wrists is still death. If we suddenly believe that we have to do something about food prices because that is the only problem now facing us and we then forget our carbon obligations, it does not save us in the long run because we are going in the same direction.

Ms Taylor: The absolute fact for all of us in the House is that if we do not start sorting out the common agricultural policy, we will be talking about food prices when our children are as old as we are. The fact is that we have mountains of goodness knows what, but the prices are kept high.

Mr. Drew: Of course, I agree with that. As a dyed-in-the-wool Eurosceptic, everyone would expect me to agree with that. I am glad that everyone has come around to my point of view. My hon. Friend the Member for Great Grimsby (Mr. Mitchell) and I will go to our graves happy that we have reconverted our party to the position it should be in as regards our position in Europe. Never mind; we can live in hope.

I agree entirely with my hon. Friend the Member for Stockton, South (Ms Taylor). I do not know whether she has read my notes—I cannot read them because they are such a scribble—but she has taken away all my key points. I can more or less sit down and shut up. It is not because of our biofuels policy that we are in this mess; it is the fact that we have a completely insane agricultural policy and, more particularly, that we do not have a food policy. If we could get a national food policy, let alone a European or world food policy, we might be able to do something and have some context to make some sensible decisions on bioenergy, biofuels, biomass and the rest of it.

I will put my hand up here. I am one of those who argued for the renewable transport fuels obligation. I know that politicians do not like to take responsibility for anything because it is much better to say, "It wasn't anything to do with me, Guv. I was always against it." Occasionally, however, we have to stand up and be counted. Three years ago when we did our report, and subsequent to that, there was a group of us who said that the problem with the Government was that they did not get the message; they were not moving fast enough in this area. We were saying that bioenergy had to be part of the solution, and that the only way to make it part of the solution was for us to kick-start it. It was only in April that we got the culmination of that with the RTFO coming into place.

Joan Walley: I have been listening very carefully to my hon. Friend. Does he agree that it is important that we have a vision and a goal and that we take action? However, when we take that action it is important that we put in the necessary sustainability standards; otherwise, that action will distort the very objective that we seek to achieve. I agree with him that we need those standards, but we need to get them right. We do not want the Government to rush ahead until they have the standards and safeguards there.

Mr. Drew: It is easy to agree. There is no point in having a policy that is counter-productive. Of course, I would argue that we have to be clear about our standards. However, to be fair—and I sympathise with my hon. Friend the Member for Stockton, South—we have firms up and running in this area which believe that they are doing the right thing because they were given the policy lead from this place, with some of us kicking the Government up the backside and saying, "You are not going fast enough, far enough and firm enough in terms of policy", and now we are saying that it is the wrong policy. It is easy for us to say, "We have lots of wrong policies"—some of us would argue that we have wrong policies in some areas—but occasionally we have to be honest and say, "Okay, we may have got it slightly wrong, but we cannot keep changing policies; otherwise, the instruments with which we are trying to encourage the changes to happen, to deal with the thing called climate change, will become confusing and it will be so messy out there." It is not just hon. Members who are saying that. If we had that much power as parliamentarians, all hon. Members would be here doing whatever they do to the best of their ability, feeling that they were great agents for change. The agriculture people were arguing that they wanted the changes because, as I said earlier, they felt that they had to get greater investment to use the land for things other than food.

There is also the biofuels industry to consider. I am sympathetic to that industry. A number of firms have set up in that area and have been successful in encouraging the use of biofuels. However, the non-governmental organisations are also involved. I have to say that it is easier for them to suddenly change sides than to manage Chelsea! That goes on as day follows night. I remember being lobbied and it was not just happening for me. My hon. Friend the Member for Sherwood (Paddy Tipping), who has been the greatest advocate in the House for what we tried to do, and I were being pushed by NGOs to say, "You've got to realise your climate change obligations and bioenergy is one of the ways in which you can do that." Okay, we may have got it wrong: we may have needed to graduate this and we may need more balance in the arguments.

I shall now return to what I was saying, because I have gone out of kilter. If I read my notes I might get back into some semblance of order. The problem is not biofuels, which are a drop in the ocean, relatively speaking in terms of land use; the problem is that we have failed to address food security. I have some ownership of that issue, because I had a debate in this Chamber on Tuesday on food security, in which I tried to make that point. The Government responded well, saying, "Yes, we've got a problem; we've got to do something about it." It is not just a British problem and is certainly not just a European problem: it is a worldwide problem.

But calling for a moratorium is a bit like chucking the baby out with the bathwater. It is not as simple as saying, "Let's have a moratorium; it's the easy way out. Let's just produce more food", because all hon. Members know—my hon. Friend the Member for Stockton, South mentioned it—that food is wasted and that a cheap food policy has not always delivered all the things that we wanted it to.

All I am asking for is some balance when looking at the arguments, some stability in policy evolution and some guarantees to companies that are taking a risk and investing in this area, but now, all of a sudden, are being told that they should forget the obligation from April, because they will not get any more investment owing to the policy being changed. Given my politics and from my perspective, I can be a bit rude to business now because I have already been a bit rude to farmers. I am not sympathetic in this regard just because people take risks. However, it is a bit worrying when the context of that risk is entirely driven by something external to themselves and they are told a message which then changes completely. I could go on in the same vein as my hon. Friend about companies that have been in that position and now feel a bit uncertain, to put it mildly.

To me, biofuels were never the answer. How long does a Select Committee report last? Probably less time than my Select Committee thought ours would last, because ours was a bit more optimistic and progressive in respect of where we saw the opportunities for biofuels. We may have been too optimistic, but considering this matter purely pessimistically and saying that biofuels are no answer at all to the problems of reducing carbon is unduly negative. We must get other things right. We certainly have to get the agricultural subsidy regime right, because although it might be daft to subsidise agriculture in the way that we do, it is certainly daft to subsidise alternative non-food production. However, that is because we have got the subsidy regime wrong; it is not to do with biofuels per se.

I hope that my contribution has been helpful, even if I have brought a note of rancour into these wonderful consensual debates.

3.44 pm

Mark Hunter (Cheadle) (LD): It is a great pleasure to serve under your chairmanship, Mr. Amess, and to have the opportunity to contribute to this most important debate. The hon. Member for Stroud (Mr. Drew) rightly mentioned the need for balance in the debate. That is crucial, because what we are talking about is self-evidently not a black and white issue.

I thank the hon. Member for South Suffolk (Mr. Yeo) and the Environmental Audit Committee for their hard work on the topic, which is especially relevant in the context of the European Union's current consultation on a directive on the issue. We can no longer afford to get our environmental policies wrong. We all agree that climate change needs to be tackled effectively here and now. The Committee's report is useful and gives us insights on the background to biofuels.

I should make it clear from the beginning that, although I agree that the report lays out in some detail the problems that can be caused by biofuels, the Liberal Democrats believe that those problems are surmountable and that the United Kingdom cannot afford to write off biofuels altogether as a viable option for powering transport. We are, therefore, not minded at this stage to support the Committee's call for a moratorium. We Liberal Democrats believe that there is an important role for good, sustainable biofuels to play in the UK transport fuel market and that abandoning the targets completely would be a step backwards for the UK's sustainable energy industry and for its ability to control its carbon footprint.

[Mark Hunter]

All hon. Members are, of course, aware that transport is responsible for roughly a quarter of the UK's total carbon emissions, with road transport alone responsible for more than 21 per cent. That figure has not decreased in recent years, but has risen as more people have cars and use them more often, so it is vital that Britain is carbon neutral by 2050, including transport. We therefore need a solution—or perhaps I should say solutions—to the problem of powering transport, especially road transport.

As hon. Members have said, new technologies are developing all the time. Just a few years ago only one hybrid car was available in the showrooms—the Prius—but now the consumer can choose between many models. There are also advances in electric cars that could come from entirely green energy sources, including hydrogen technology and, of course, sustainable biofuels. There is other encouraging news. Yesterday, I noticed in the *Financial Times* that for the first time in 26 years the Ford pick-up truck was replaced as the USA's No. 1 seller by the smaller, more environmentally friendly Honda Civic. In the UK we have seen a dramatic increase in the sales of hybrid cars. Those facts point to a positive trend. People are starting to vote with their feet and their wallets on environmental issues. We need to take advantage of that movement to help cut carbon emissions as much as possible.

Despite certain media reports, it is too simplistic to generalise about whether biofuels are a good or bad thing. Of course, we are well aware that biofuels are not completely carbon neutral as yet, but they can create carbon savings when compared directly with fossil fuels. Whether they create carbon savings, and what the size of those savings is, depends entirely on how and where the raw materials are grown and how they are converted into biofuels and then transported. The true carbon cost of any biofuel can only be calculated if the carbon cost of growing it, including the machinery and fertilisers used, converting it and then transporting it are all taken into account. We must include the carbon cost of any change in land use.

There are other environmental and social costs attached to biofuels that are important for us to understand, acknowledge and attempt to address. If biofuel farms replace rainforest or peat land, it can take hundreds of years to replace the carbon cost. The unique eco-systems, wildlife and biodiversity of that land can never be replaced. We cannot and must not allow the use of such land to continue.

Biofuels also compete with food for the land that is used to grow them. Just this week, as was mentioned earlier, concerns were expressed at the UN food summit in Rome about the security and scarcity of food supplies. Although I am sure that biofuels are not the only or main reason for the current food crisis facing the world, using land currently utilised for agricultural purposes to grow fuel—almost literally—can only exacerbate the problem. We must work to ensure that does not happen.

The problems are real and serious, and they are troubling for anyone who advocates the use of biofuels, but we firmly believe that they can be minimised if good standards are firm and regulations are put in place. Like the Committee, we believe that a total moratorium on the UK's 5 per cent. target for the use of renewable fuels is not only impractical if we want the UK to reach its CO_2 reduction target of 60 per cent. by 2050, but also that it is not sensible if we wish to make further developments in the field of sustainable technology. The truth is that companies will simply not invest in research and development for sustainable fuels and carbon-saving measures if they do not believe that the United Kingdom Government are serious about carbon reduction.

The problems can be tackled in other ways that could allow biofuels to be used. As it stands, the renewable transport fuel obligation is not doing enough to ensure the sustainability of the biofuels that we are using. We need stronger certification and sustainability standards that will incentivise energy companies to ensure that the biofuels provided come from the best and most sustainable resources. As the report clearly indicates, carbon savings from biofuels are possible. Some UK biofuel factories already run an incredibly good sustainable business and produce high quality biofuels. According to the Renewable Energy Association, British Sugar in Wissington, Norfolk—to name but one such company—produces a biofuel from locally grown sugar beet that, including all the carbon production costs, has a 71 per cent. carbon saving over fossil fuels.

The Government should set a minimum standard of 50 per cent. carbon saving for biofuels when compared with fossil fuels, and it should be in place now. In our view, anything below that level would be unsustainable. Although we welcome the idea of rewards being linked to CO_2 emissions caused by producing biofuels, such a system should already be in place and we should not have to wait until 2010. In addition, we should not—nor should the European Union—subsidise fuel from unsustainable resources, as we are currently doing.

Joan Walley: In terms of the headline report that the hon. Gentleman has given and the detailed aspects of his contribution, will he tell the House which of the Committee's recommendations he disagrees with?

Mark Hunter: I would be delighted to, and if the hon. Lady could be a little more patient, I shall come to that point. At the beginning, I said there was a need for balance in this debate. I am trying to say that an awful lot of the report makes eminent good sense, but that there is a different side to the matter, as Labour Members have already indicated.

As I was saying, we should not subsidise fuel from unsustainable resources, as we are currently doing, for example, with most of the bioethanol we get from the United States. Energy companies have the opportunity to buy their biofuels from good suppliers, even if they are sometimes understandably more expensive. It is therefore vital that incentives are put in place now rather than in two years' time to encourage the production and purchase of high-quality sustainable biofuels that have the highest CO_2 savings and the best environmental credentials possible. The key point is that the renewable transport fuel obligation must be recalibrated so that suppliers get a better financial deal when more carbon is saved.

Similarly, sustainability standards should be mandatory from now on and should not be postponed until 2011. If the Government set strict environmental standards, the fuel companies will have no choice but to face up to their obligations to meet them. To delay action on that issue—like delaying action on any environmental issue—would damage the very environment that we are all trying to protect.

I shall give a further example of where regulations are too lax. Currently, when reporting on the biofuels they supply, energy companies can claim that they do not know what the land that they are using to source biofuels from was used for previously. That is not only ridiculous, but incredibly irresponsible. Companies should not source goods if they do not know the conditions in which they are being produced. To do so is the equivalent of high street retailers in the west sourcing goods from sweatshops in the far east and pretending they do not know that the workers are paid a pittance for their efforts. Will the Minister explain why that ignorance loophole exists and tell us whether he agrees that it can be used to hide where some biofuels are in reality being produced?

To ensure that biofuels are not replacing valuable natural habitats or carbon sinks, there should be a punitive presumption in the biofuels standards. If energy companies cannot confirm where the biofuels are from, they should be classed as replacing rainforest, and therefore deemed unacceptable. Such a premise would ensure that energy companies take seriously their obligation to confirm that the biofuels they are selling come only from sustainable sources that do not harm natural habitats.

Mr. Goodwill: Is what the hon. Gentleman saying World Trade Organisation-proof, because I suspect that many of the comments he has just made would not stand up to the scrutiny of the WTO?

Mark Hunter: I thank the hon. Gentleman for his intervention. Many of the opinions of some his colleagues on this subject would not necessarily tick every box and meet every criteria of every international organisation. I could certainly spend a great deal of time citing other organisations that support the continued use of biofuels—although with the improvements to regulation and classification that I have talked about.

To allow energy companies simply to tick the metaphorical "don't know" box turns a blind eye to the environmental problems that biofuels are trying to solve. The onus should be on the providers to ensure that their biofuels come from sustainable sources. On a connected topic—in agreement with the Stern review and the report we are discussing today—it is important that, alongside the RTFO, the Government work to promote an international commitment to investing in carbon sinks. Will the Minister tell us what, if anything, the Government are doing to further that particular suggestion from the Stern review? Does he agree that without a commitment to biofuels now, second and third-generation biofuels will simply not be developed in the future?

Second-generation biofuels, such as jatropha and cellulosic ethanol, work to extract energy from the whole of the crop and are much more energy efficient, as has been said. Such biofuels need less land and can often grow in more hostile environments where it is impossible to grow food crops. We must therefore aim to get second-generation biofuels up and running as quickly as possible. Without further investment in the biofuels industry, we could miss out on a whole new generation of biofuels and the role that they could play in the future of transport energy. Will the Minister confirm whether the Government are committed both to the future development of second and third-generation biofuels and to investment in them?

I said earlier that there was no single solution—no silver bullet—to the problem of transport energy. We need a package of measures to reduce CO_2 emissions from transport, and first on that list would be better investment in public transport. We need more reliable trains and buses, which run on time and are affordable, comfortable, clean and accessible to all. Without investment in public transport, people will continue to use their cars for both long and short journeys even when alternatives are available. We need to invest in programmes that change public attitudes to transport and encourage people to get out of their cars and use bicycles or walk for short, local journeys. Future fuel options such as fuel cells and hydrogen need much more development and investment, but they have real long-term possibilities.

However, the reality is that we need to cut carbon emissions now. For that reason, the Liberal Democrats believe that, alongside the other initiatives that I have mentioned, biofuels have a role to play in the short to medium term, as long as they are genuinely and demonstrably sustainable. The measures that I have laid out would mitigate many of the problems facing biofuels as an environmentally friendly option for powering cars. We therefore do not agree with the statement in the report that a moratorium on the biofuels target would be the best option. Such action would do nothing to decrease our carbon footprint and could stall the development of second and third-generation biofuels, which may prove able to help to supply the world's transport energy needs.

4.1 pm

Mr. Robert Goodwill (Scarborough and Whitby) (Con): I pay tribute to my hon. Friend the Member for South Suffolk (Mr. Yeo) and the Select Committee that he chairs for the report that they have produced. It demonstrates very well why Select Committees are so important in identifying issues and producing such good evidence.

The UK produced 652 million tonnes of CO_2 in 2006, and although that fell by 0.5 per cent. the next year, that hid an increase of 1.3 per cent. in emissions from transport. It is easy to fall into the trap of thinking that if something has the word "bio" or "eco" in front of it, it is bound to be good. I think that the hon. Member for East Dunbartonshire (Jo Swinson) referred to that. There are probably many people driving round the country in hybrid cars who feel that they are single-handedly saving the planet. The fact is that there is no such thing as a car that does not produce emissions. There are good cars and bad cars.

As a farmer—I declare an interest—who has grown biofuels on my farm and currently grows oilseed rape, I can tell the members of the Committee that I was in no doubt when I produced oilseed rape that I was doing it for economic reasons. I was doing it in response to common agricultural policy subsidies. As we poured the diesel into our tractors and the fertiliser into our fertiliser spreaders, we were in no doubt that we were probably contributing to the problem of global warming, rather than solving it.

[Mr. Robert Goodwill]

In the same way, I am sure that the companies referred to by the hon. Member for Stockton, South (Ms Taylor) are motivated by the best possible reasons, but we need to examine the scientific evidence, and the evidence in this report demonstrates that, in very many cases, biofuels are not helping us to reduce CO_2 and they are often contributing to the problem. It is important that we consider the scientific evidence, rather than putting a wonderful green halo around ourselves when we think that we are doing something that is helping the planet.

Farmers lobbied for the introduction of biofuels. That was very appealing because many of us were growing nothing on 10 per cent. of our farms; it was free land. This was something that we could do with land that was available. As a former Member of the European Parliament, I know that member states with big agricultural communities lobbied hard to get biofuels on the agenda, as a way of funnelling cash to their farmers rather than necessarily in every case considering the sustainability of every single aspect of the policy. In many ways, of course, the EU policy tends to be farmer-driven—perhaps not as much as it was, but certainly that has always been an aspect of it.

Europe is not the only region where biofuels are on the agenda. The United States is pushing for biofuels, for very different reasons. For the Americans, it is all to do with non-reliance on the middle east and with energy security. Certainly the ethanol produced from maize in the US is not sustainable at all, but it is produced for other reasons. I suspect that, as long as the US remains addicted to energy, it will continue to produce more and more CO_2, despite what we hear about Americans falling out of love with the Ford pick-up.

Since the policy was formulated in the European Commission, two things have changed. The first change relates to the sustainability of the fuels, and the evidence in that regard that the Select Committee very assiduously collected is well worth reading. Also relevant is the world picture. We can be as sustainable as we want in producing a biofuel in the UK, but if rain forest is being chopped down to produce that, we are causing damage. I saw figures that suggest that when rain forest is cut down, between 100 and 200 tonnes of carbon are emitted per hectare in the first year. That means that if 2 per cent. of the world's biofuels were produced in that way, it would wipe out the benefits of everything else, even if it was 100 per cent. efficient.

We need to examine the sustainability criteria—the hon. Member for Stoke-on-Trent, North (Joan Walley) referred to that—but I am not sure whether it is credible that that can be made to stick. For example, if a boatload of rapeseed comes across the Atlantic, how do we know that every grain of rapeseed on that boat was produced sustainably? Even if it was produced sustainably, how do we know that the displacement—the food that was produced on new land—was sustainable? It would be very difficult to have a blue-chip sustainability measurement that we could use and feel certain that we were producing sustainable fuel.

With regard to the point that I made to the hon. Member for Cheadle (Mark Hunter), I can remember when Margot Wallström, the EU Environment Commissioner, was dispatched to Seattle, to the World Trade Organisation, charged with ensuring that there was an environmental aspect and an animal welfare aspect to the negotiations. She was sent away with a flea in her ear, having been told firmly by the WTO that it would not look at aspects such as child labour, environmental sustainability and animal welfare. The WTO was not open for business in that way.

The second big change occurred last August in the world food supply. As a wheat producer—not a barley baron, I hasten to add—I can say that we had had 10 or 20 years of very depressed grain prices, but they went up dramatically within the space of 10 weeks. Wheat that had been trading the previous year at £70 a tonne was trading at £170 a tonne. That has provoked a number of effects around the world. Forty-three countries have seen food riots. There have been food riots in Mexico, where the price of grain maize has gone up dramatically. The price of oilseed rape has also gone up. People are looking at paying £340 a tonne next harvest for oilseed rape, as opposed to £150 a tonne only a couple of years ago.

I suppose that one good side effect is that that has priced out the freelance people who dosed their tanks with cooking oil from the supermarket. They have been almost priced out of the market, so I do not think that we will see too many repeats of what happened in Swansea in 2003, when there was a run on cooking oil at Asda. The report in *The Guardian* suggested that the people at Asda did not raise their eyebrows at what was happening. According to the report, the store manager said:

> "We just thought they were doing a lot of frying. You have to remember, healthy eating has not hit Swansea in a big way."

I am pleased to say that the police set up a squad to target that dosing of fuel—it was called the frying squad. I almost did not dare say that, but it was in *The Guardian*, so it must be true.

There are very serious effects around the world in developing countries. Already in countries such as China, people are switching from meat, which they were becoming used to eating, to eating grain instead, which has meant that they can continue to sustain themselves.

I am pleased that the Prime Minister has taken an interest. On 23 April at Prime Minister's questions, I asked what his views were of the renewable transport fuel obligation. In fact, I asked him whether his priority was to put bioethanol in a Range Rover's fuel tank or to put bread in an African's stomach. For once, I got a very good answer from the Prime Minister, who had the previous day had a food seminar in Downing street. He said that the policy on bioethanol must be reviewed, and he was determined that we should do more to increase the supply of food to the world, particularly because of the way in which China and India are pushing up demand for it. I am pleased that the Prime Minister is taking a personal interest. The Minister remarked to me recently that he had been hoping to get a chat with the Prime Minister on the subject, but I have beaten him to it. I am pleased that our debate is based on science, not on politics and rhetoric.

There have been other effects on subsistence farming in developing countries. We might think that the price of wheat does not matter to those who produce grain in the fields behind the house and consume it themselves, but it has had a dramatic effect on many of the other inputs in agriculture. There is a waiting list for John Deere tractors in this country; the price of fertilisers has more than trebled, with an even greater increase for phosphates; and there will be increasing pressure on water resources, which are under great pressure in the developing world.

I welcome the report. We need to look carefully at second-generation biofuels. We must bear in mind that they are often a long-term project for farmers. They can grow rape this year and something else the next, but willow coppice and miscanthus are permanent crops. Farmers will need some degree of certainty about the future level of subsidy were the Government or the Commission to go ahead.

Ms Dari Taylor: Is the hon. Gentleman saying that the Conservative party will support a moratorium but not the continuance of biofuels?

Mr. Goodwill: We agree in essence with the report and its conclusions. We believe that many of the biofuels now being used are not sustainable. We therefore need to be sure that all biofuels are contributing to a reduction in CO_2 and not making the problem worse. The report is valuable as evidence, as it will enable us to come to a firm conclusion. I agree with the majority of points made during today's debate by members of the Committee. The issue has also been raised by a number of other Committees and on the Floor of the House. Our severe concern is that we are locked into a target despite the environmental evidence given in the report.

There other ways of improving the carbon footprint of transport. We need to consider greener cars. As we heard yesterday at Prime Minister's Question Time, the way to encourage people to use greener cars is not to tax them on decisions that they made seven years ago when they bought their cars.

We should consider car sharing. My car has a CO_2 production of 214 g/km if I am on my own. If I am with my wife and three children, it produces 44 g/km for each of us. Car sharing could make a valuable contribution. This morning, I met some people from iTrans, a company that is looking at formalising car sharing in a way that will allow them to participate in carbon credit trading schemes—so when Mr. Branson's aeroplanes fly across the Atlantic, they will be offset because someone at home is sharing the car to school.

I was concerned to hear that Pindar, a company in Scarborough that wanted to set up a car sharing scheme among its employees, was told that data protection rules meant that it could not communicate to them where their colleagues lived. We should also consider car clubs, another way of getting people out of their cars and on to public transport, but still giving them the convenience of having a car at weekends or in the evenings.

I look forward to hearing the Minister's response. In particular, I would be pleased to hear whether he has had any communication with the European Commission or his 26 colleagues in the Council. I have some experience of the way things are done in Europe, particularly in relation to the nitrates directive. Once something is written into the European Union statute book, it is very hard to get it changed—even if subsequent evidence shows that not everything that has been written in stone is what people would wish.

I would be interested to hear what communications the Minister has had with the Commission and, just as important, with other member states that are not as pinned to the farmers' shirt-tails as others—about which we know all too well. I want to see whether we can turn around the supertanker of the European movement, and get a little bit more science into the debate and a little less of people merely sounding green.

4.15 pm

The Parliamentary Under-Secretary of State for Transport (Jim Fitzpatrick): It is a pleasure, Mr. Amess, to see a fellow West Ham supporter in the Chair.

I welcome today's debate on the report of the Environmental Audit Committee inquiry into the sustainability of biofuels. I congratulate the hon. Member for South Suffolk (Mr. Yeo) and his colleagues on the report and on securing this debate. If it was not clear before today that biofuels remain a controversial issue, it should be now. It is therefore right that the subject should be fully debated. It is particularly appropriate that today is world environment day; its theme this year is the low-carbon economy and the reduction of greenhouse gas emissions.

Since my last engagement with the Committee six months ago, there have been some important developments. The renewable transport fuel obligation is now operational, with 17 companies registered as obligated suppliers; and the Renewable Fuels Agency—the RFA—has been established as the administrator. This morning, I visited the agency's headquarters in Hastings. As we heard earlier, Professor Gallagher, the RFA chairman, has been leading a review into evidence on the indirect effects of biofuels. The European Commission has published its climate change package, which includes a draft renewable energy directive.

In its original report, the Committee said that

> "it is difficult to generalise the benefits or costs of biofuels."

That goes to the heart of the problem. We heard today that there are good biofuels that are sustainably produced and which help to save greenhouse gas emissions—for example, biodiesel made from waste cooking oil. We also know that there are potentially bad biofuels. For example, everyone agrees that biofuels would be bad if tropical rain forest had to be cleared to grow them. Those are commonly quoted examples, but most cases are not so extreme. It is not always easy to know which biofuels are good and which are bad.

A lot of work has been done, and is still going on, into how to assess the sustainability of biofuels and how to measure their life-cycle greenhouse gas emissions. It is worth reminding ourselves that the United Kingdom is a world leader in the field. Because of the potential of biofuels for greenhouse gas savings, the Government have encouraged them, at first through differential taxation and now through the RTFO. However, we have always recognised that, if given indiscriminately, support for biofuels could lead to unsustainable forms of production.

We have minimised the risk for the RTFO in two ways. We have taken a cautious approach to the level of the biofuels obligation, as articulated by the hon. Member for South Suffolk, the Committee Chairman, and others. We began with a modest target for 2008-09 of a 2.5 per cent. share by volume in total petrol and diesel sales. We

[Jim Fitzpatrick]

also made it a condition that fuel suppliers can claim certificates only if they report on the sustainability characteristics and greenhouse gas savings of their biofuels.

The carbon and sustainability reports will be published in summary for each obligated supplier. That will be an important incentive for them to ensure that their biofuels come from sustainable sources. However, carbon and sustainability reporting is only a first step. We announced last year our aim that, from April 2010, rewards under the RTFO should be linked to the carbon savings of the fuels supplied, and that from April 2011 only biofuels meeting prescribed sustainability criteria would be eligible for certificates. Those provisions would be subject to compatibility with European legislation and WTO rules, as we heard from the hon. Member for Scarborough and Whitby (Mr. Goodwill).

The Government have meanwhile been urged to abandon the RTFO, or at least to put it on hold. In our view, that would be wrong. It would mean giving up worthwhile greenhouse gas savings, with no evidence of any benefit in return. It would also send the wrong signals to the industry, for which a consistent long-term policy is important. Indeed, for that very reason, the legislation establishing the RTFO has been designed so that it cannot be amended quickly. However, we have given a firm undertaking that we will not agree to any increase above existing targets until it can be shown that the necessary biofuels can be produced sustainably. The work to develop robust sustainability criteria at the EU level is therefore most important. With those in place, it will be possible to assess whether enough sustainable biofuels could be produced to meet the targets that have been proposed for the EU.

Two targets affect biofuels. First, the draft renewable energy directive sets a 10 per cent. target for the share of renewable energy in transport, which would almost entirely be from biofuels by 2020. Secondly and separately, the European Commission has proposed an amendment to the fuel quality directive to set a greenhouse gas reduction target for petrol and diesel. That would require a 10 per cent. saving in life-cycle carbon emissions by 2020. Although part of the latter target could be met through the more carbon-efficient production of fossil fuels, it is broadly agreed that the majority of the savings would need to come from biofuels, which could amount to as much as 8 per cent. The amount of biofuels needed would depend on their life-cycle carbon emissions: if they were half those of the equivalent fossil fuels, a 16 per cent. biofuels share would be needed to achieve an 8 per cent. greenhouse gas saving. That is a much greater amount than would be required by the 10 per cent. renewable energy target.

We do not know whether that could be achieved sustainably. We will press for a more realistic but still challenging greenhouse gas reduction target for petrol and diesel. Different sustainability criteria have been proposed for the two directives. A special working group has been set up under the Committee of Permanent Representatives to prepare core sustainability criteria that will apply to both. The hon. Member for Scarborough and Whitby said that directives are difficult to change: in this case, they will have to be changed because they are in conflict with each other. The United Kingdom has been playing a full and active part in the negotiations, which should reassure my hon. Friend the Member for Stoke-on-Trent, North (Joan Walley).

Recent studies have suggested that the indirect effects of biofuels might be more significant than had been assumed. In the light of uncertainties about those results the Government asked the chairman of the RFA, Professor Ed Gallagher, to undertake a review of the evidence. I am grateful to him and his team for the work that they have put into the review, and to a wide range of stakeholders for their contributions. The time scale for the review has been tight, because the findings need to be fed into the EU negotiations on biofuels sustainability criteria. Our negotiating position will take the findings fully into account. We expect that they will also be of significant interest to other member states and that they may in some cases affect their positions on the negotiations.

Nevertheless, the review team have done a great deal in the time available. Evidence has been collected in the United States and Brazil, which are two of the most important countries for the production of biofuels. There has been a meeting with experts in the Netherlands which, like the UK, is a leading country for work on biofuels sustainability. On Monday, members of the review team will travel to Rome for a meeting at the UN Food and Agriculture Organisation. The meeting will pay particular attention to the impact of biofuels on food security, especially in the light of the high-level conference on food security which has just taken place at the FAO.

Joan Walley: I am glad that the Minister referred to the Gallagher report—it will obviously inform UK policy. Will he share with the House the conclusions of the draft report, which I believe are available? Will he place them in the Library?

Jim Fitzpatrick: I was about to offer an assurance on the publication of the report. It is not available, but I understand that some interim findings have been shared with some organisations. As my hon. Friend the Member for Stockton, South (Ms Taylor) said, peer review of such reports is of fundamental importance, and that is what is happening at the moment. I will give my hon. Friend the Member for Stoke-on-Trent, North details on publication, which will be at the end of this month—we will not place anything in which we do not have total confidence in the public domain. We are not in such a position at the moment. I shall give a definitive response to the questions she put in her contribution later.

Biofuels stakeholders have been fully involved in seminars and workshops in the UK. Professor Gallagher's report has been drafted and is going through a process of peer review by Government chief scientists. The final report is due to be presented to the Secretaries of State for Transport and for Environment, Food and Rural Affairs at the end of the month. My hon. Friend the Member for Stoke-on-Trent, North made that point in her contribution, as we discussed. As I said, I expect the interim report to be with Ministers soon, and the final report with recommendations on how to move forward, especially in Europe, by the end of June. The report will be independently peer-reviewed before publication. To answer her question, I expect that the European Energy Council will debate the issue but I do not expect the independently peer-reviewed report to be made available before the end of June. It will therefore not flavour those discussions.

The emerging evidence indicates that the issues surrounding biofuels are very complex and that there are still many uncertainties about measuring the benefits. That confirms that we have been right to be cautious in setting biofuels targets. The policy of caution will continue—many hon. Members, including some of my hon. Friends, made that point. The Gallagher review is not the end of the process. The review of biofuels will go on as we continue to collect evidence and develop a clearer understanding of their impact. If the evidence indicates that a target cannot be met solely through sustainably produced biofuels, it would need to be modified.

The hon. Member for South Suffolk made the point that 10 to 40 per cent. of UK arable land would be needed to meet the 5 per cent. UK target. I must tell him that we expect the target to be met through a mixture of imported and home-grown feed stocks. However, in theory—studies including one from the National Farmers Union suggested this—a 5 per cent. target could comfortably be delivered by UK-grown biofuels without any significant change to UK farming practices. We export large quantities of wheat that could be used to produce bioethanol and contribute significantly towards the 5 per cent. target. The Gallagher review is considering the pressures and availability of land in relation to the production of biofuels.

My hon. Friend the Member for Stockton, South made a powerful speech and reinforced the importance of peer review of reports and the complexity of the issue. Her concerns arise from the information with which she has been provided from various sources. I welcome her support for biofuels that are produced on a sustainable footing and I understand their importance to industries in her constituency and surrounding areas, and the jobs that they support for people in the north-east.

The hon. Member for East Dunbartonshire (Jo Swinson) called on the Government to keep moving on the issue. I hope that I have demonstrated, if not completely to her satisfaction, that we are doing so. Three years ago, the Government were attacked for not moving fast enough on biofuels, and now we are being criticised for not calling a halt—my hon. Friend the Member for Stroud (Mr. Drew) made that point eloquently, relating it to his experiences.

I hope that my contribution has covered the points made by the hon. Member for Cheadle (Mark Hunter). In the end, his position is not a million miles from the Government's.

The hon. Member for Scarborough and Whitby always speaks with great authority from personal experience—he did so today, even if he chose to quote from *The Guardian*. That was a bit suspect, but he retrieved his position by quoting from the Prime Minister, who is a much more reliable source. I shall pass on the hon. Gentleman's regards.

Biofuels should not be considered in isolation—everyone who spoke in the debate made the point that they do not constitute a silver bullet. Their significance is mainly their contribution to greenhouse gas savings, and we aim to encourage them accordingly. If because of sustainability or other problems that contribution turns out to be lower than current targets imply, equivalent reductions might need to be found elsewhere.

Biofuels are not an end in themselves, but with the right sustainability standards in place, they have a role as one of many measures with which we are combating climate change. I congratulate the hon. Member for South Suffolk and the Committee on the report. It will play a role in the development of our policies in future but, as is obvious from my remarks and the Government response, we are not supportive of its final conclusion.

4.29 pm

Mr. Yeo: Belatedly, Mr. Amess, I wish to say how delighted I am to serve under your chairmanship, as you and I entered the House almost 25 years ago on the same day.

This has been a useful debate. I am grateful to all hon. Members who have expressed their opinions about the Committee's report and congratulated the Committee on producing it. I am glad that a variety of opinions have been voiced; it makes for a proper debate. I am particularly grateful for the support of my colleagues from the Committee, two of whom are still here. I was a little disappointed by the rather ambivalent attitude of Liberal Democrat Front Benchers, who were less than wholehearted in their commitment to the report's conclusions, but many years of experience have taught me not to be too surprised by that.

I welcome warmly the official Opposition's support for the report's conclusions, and I thank the Minister in particular for his response. He may recall that in a previous incarnation, he very courteously received a deputation of constituents of mine who wished to save an extremely small village post office. I am glad to tell him that, whether it was with his help and intervention or not, that post office has survived the chop. If he does nothing else for South Suffolk, he has achieved something for the village of Stoke-by-Nayland, through which I drive every week of my life.

I thank the Minister for explaining the position in relation to the Gallagher review. It is useful to have that information, and we look forward to seeing the review's conclusions shortly. I am glad that they will be available before the summer recess. They will no doubt feed further discussion and debate. He confirmed that the UK target is likely to be met through contributions from imports. Of course, the lack of sustainability in some methods of production of imports was a matter with which the Committee was particularly concerned. We recognise that at home, the issues are rather better understood. The risk of environmental damage and of a negative impact on greenhouse gas emissions arises almost entirely from what may happen—indeed, we think that it is happening—in some developing countries. That will remain a concern.

The Minister teased the hon. Member for East Dunbartonshire (Jo Swinson) slightly about the fact that the Government were attacked some years ago for going too slowly and are now being attacked for going too fast, but I think that she said—I agree with this—that when the facts change, it is right to change the policy. We know a lot more than we did three years ago, and the state of knowledge is advancing all the time. That is why the need for an immediate change in Government policy, as called for by the Committee, is still justified. I emphasise that the Committee reached its conclusions on the basis of the evidence that it studied, and we will continue to do so. It was a balanced conclusion. We recognise and welcome the fact that biofuels could contribute significantly and positively towards cutting